



County of Monterey

Item No.8

Zoning Administrator

Legistar File Number: ZA 26-043

April 30, 2026

Introduced: 4/21/2026

Current Status: Agenda Ready

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Matter Type: Zoning Administrator

PLN250213 - RAHMAN NADEEM & KAUSER SIDDIQUI TRS

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

Project Location: 1053 The Old Drive, 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 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 6 conditions of approval.

PROJECT INFORMATION

Agent: Paul Minik

Property Owner: Nadeem Rahman & Siddiqui Kauser TRS

APN: 007-231-014-000

Parcel Size: approximately 0.25 acres

Zoning: Medium Density Residential with a Building Site 6, with a Design Control, with a Parking and Use of Major Recreational Equipment Storage Overlay or "MDR/B-6-D-RES"

Plan Area: Greater Monterey Peninsula Area Plan

Flagged and Staked: Not Applicable

Project Planner: Imani Harrigan, Assistant Planner

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SUMMARY/DISCUSSION:

The project is located at 1053 The Old Drive, a privately maintained road, in Pebble Beach. The agent submitted an application seeking to use the existing single-family dwelling located in a residentially developed neighborhood as a Commercial Vacation Rental.

The site is developed with an existing 2,165 square foot single-family dwelling with three bedrooms, four bathrooms, a kitchen, living room with a 424 square foot attached garage/workshop, and a 366 square foot detached storage shed (**Exhibit A**). The agent is proposing that the single-family dwelling 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 California American Water, and Greenwaste Recovery is providing solid waste services for the dwelling. If approved, the granting of this Use Permit would allow the establishment of the 6th commercial vacation rental in the Greater Monterey Peninsula Area Plan out of 155 Use Permits permitted pursuant to Title 21 Section 21.64.290.F.3.f.

The proposed project is subject to the policies and regulations of the 2010 County of Monterey General Plan (General Plan), Greater Monterey Peninsula Area Plan (GMPAP), 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 Medium Density Residential with a Building Site 6, Design Control, and Recreational Equipment Storage Overlay or “MDR/B-6-D-RES”. Title 21 Section 21.12.050.Y allows for the Commercial Vacation Rental single-family 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 services is adequate pursuant to the 2010 County of Monterey General Plan Safety Element Policy PS-1.1 and Table PS-1. The service level goals for fire and ambulance/emergency services are 5 to 8 minutes of structural coverage for community areas. The subject property is within the Pebble Beach Community Services District; therefore, it is subject to provide response time services for community Areas. Pebble Beach Fire Station 22 is 4 minutes away, which provides 24-hour emergency medical and fire response services. Additionally, although the Community Hospital of the Monterey Peninsula is 9 minutes away, Pebble Beach Fire Station 22 also provides emergency paramedic services including advanced life support 24-hours a day. The subject property complies with the requirement to provide contact information for County emergency services for fire and emergency medical. 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 part of the informational notice posted within six feet of the front door (Condition No. 5).

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 application includes a minimum of 6 parking on-site parking spots.

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, Carmel Coast Estate, is located at 10651 Hidden Mesa, Monterey, CA, approximately 22 to 30 minutes away (13.8-mile drive) from the subject property. Carmel Coast Estate'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 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. 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 21.70.070, 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.

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 21 section 21.64.290.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 309 (Reel 168, Page 435 of Official Records).

The deed contains two restrictions: one related to the "Use of Roads and Bridle Paths" and the second related to "Conditions, Restrictions, and Limitations", respectively, the fifth and first deed restrictions.

The first deed restriction restricts the usage of the property subject to the listed conditions and covenants. This condition restricts the usage of the property and states that *“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 fifth restriction states that the Grantor, Pebble Beach Company, *“shall maintain and keep in repair a road leading from the premises herein described to the nearest public highway, and in consideration thereof, and for the purpose of enabling the Grantor to maintain the roads in the Del Monte Fores (of which the premises herein described are a part) the Grantee, personally, and on behalf of his family, servants and employees hereby waives the right of free ingress and egress to and from the premises herein described and hereby agrees to pay to Grantor on the first day of March of each and every year hereafter, the sum of Twenty-five Dollars (\$25.00); provided, however, that during such time as Grantee is the owner of a Class “A” Membership Certificate, in the Monterey Peninsula Country Club, said Club under a contract with Grantor shall deduct said sum of \$25.00 from the dues paid by Grantee as such Class “A” Member, and said sum shall be by said club remitted to Grantor and be accepted as payment of Grantee’s obligation hereunder.”* The plain language of this deed restriction gives the property owner access to their property as long as they pay \$25 each March 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.

The Pebble Beach Company received notification of the proposed project on April 16, 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 [Pebble Beach Company managed portion of the Greater Monterey Peninsula].”* (Exhibit D)

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 (Condition) Number 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 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 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. This Commercial Vacation Rental does not exceed the cap on Commercial Vacation Rentals in the Greater Monterey Peninsula Area Plan. It would be the 26th Commercial Vacation Rental out of a maximum of 155 in the Greater Monterey Peninsula Area 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 significant or unavoidable environmental impacts.

OTHER AGENCY INVOLVEMENT

None

Prepared by: Imani Harrigan, 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
- Home Inspection Checklist

Exhibit B - Vicinity Map

Exhibit C - Aerial Image

Exhibit D - Pebble Beach Company Objection Letter

cc: Front Counter Copy; Jacquelyn M. Nickerson, Principal Planner, Nadeem Rahman & Siddiqui Kauser Trs, Property Owners; Interested Party List: The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Planning File PLN250213.