



# County of Monterey

Item No.1

## Zoning Administrator

Legistar File Number: ZA 25-075

Introduced: 12/4/2025

Version: 1

Current Status: Agenda Ready

Matter Type: Zoning Administrator

### **PLN240301- KEVIN & JOAN BARLETT (CONTINUED FROM NOVEMBER 13, 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 is Statutorily Exempt from the California Environmental Quality Act per Section 15270 of the Guidelines.

### RECOMMENDATIONS

It is recommended that the Zoning Administrator adopt a Resolution:

- a. Finding that the disapproval of the project is Statutorily Exempt from the California Environmental Quality Act per Section 15270 of the Guidelines; and
- b. Denying 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 denial.

### 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/DISCUSSION:

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. 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. At 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. At this hearing, there were concerns related to the utilization of the Carmel River and trespassing on neighboring properties. This poses a risk and is detrimental to the health, life, and safety of those in the immediate neighborhood, and therefore, the Zoning Administrator adopted a resolution of intent to deny the project.

Based on staff's review of the planning application materials, the property does not comply 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. Title 21 section 21.64.290 outlines specific regulations to operate a Commercial Vacation Rental use. Title 21 section 21.74.050.B specifies that in order to grant the Use Permit that allows this use, specific findings need to be made:

- 1.) The establishment, maintenance, or operation of the use or structure applied for, will not, under the circumstances of the particular case, be detrimental to health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use; or be detrimental or injurious to property and improvement in the neighborhood; or to the general welfare of the County.
- 2.) The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any applicable provisions of this Title and any zoning violation abatement costs have been paid.

Although the proposed project demonstrates the ability to be compliant with certain rules and

regulations pertaining to zoning use, subdivision and any other applications provisions, the project does not demonstrate the ability to not, under any circumstances, be detrimental to health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use. 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. 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 Carmel River attracts the public, specifically those who are renting the property for Commercial Vacation use. There are no boundary lines that identify which area of the river is on the subject property, and therefore, customers renting have the potential for trespassing onto adjacent properties. Through testimonial and public comments submitted for the project, there have been previous trespassers from the subject property in the past. Trespassing poses a risk to health, safety, peace, morals, and comfort to those in the neighborhood. Additionally, although there is a hiking and equestrian trail easement on the northern bank of the river, there are no established trails or roads to safely access this area. Therefore, Finding 1 of the required findings outlined in Title 21 section 21.74.050.B cannot be made in this specific case.

#### CEQA:

The project is statutorily exempt from environmental review. CEQA Guidelines section 152700(a) states that CEQA does not apply to projects that a public agency rejects or disapproves. The project is for a commercial vacation rental, and currently, as proposed, is recommended for denial as it poses the risk of trespassing to adjacent properties, which is detrimental to the health, life, and safety to those in the immediate neighborhood.

#### 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

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.