



Zoning Administrator

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PLN250328 - BAUMANN PETER S & BAUMANN JULIE M TRS

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: 26393 Rio Avenue, Carmel

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 9 conditions of approval.

PROJECT INFORMATION

Agent: Brad Baumann

Property Owner: Peter & Julie Baumann

APN: 009-461-020-000

Parcel Size: approximately 0.09

Zoning: Medium Density Residential, 2 acres per unit, and Design Control overlay in the Coastal Zone, or "MDR/2-D(18')(CZ)"

Plan Area: Carmel Area Land Use Plan

Flagged and Staked: Not Applicable

Project Planner: Jack Sorensen, Assistant Planner

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SUMMARY/DISCUSSION:

The project is located at 26393 Rio Vista Ave, a County-maintained road, in Carmel. On January 16, 2026, the agent submitted an application seeking to use their existing single-family dwelling located in a residentially developed neighborhood (**Exhibit C**).

The site is developed with an existing 2,146 square foot two-story single-family dwelling that has three bedrooms, three bathrooms, and a kitchen with an attached one car garage. The agent 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 will retain its solid waste services to Waste Management, a waste management company, as well as retaining services to California American Water. If approved, the granting of this Coastal Development Permit would allow the establishment of the 15th permitted vacation rental in the Carmel Area Land Use Plan out of 118 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), Carmel Area Land Use Plan (CAR LUP), Carmel Area Coastal Implementation Plan (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 Medium Density Residential, 2 acres per unit, and an 18' height limit, and Design Control overlay in the Coastal Zone, or "MDR/2-D(18')(CZ)" Title 20 Section 20.12.050.DD 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 the City of Carmel-by-the-Sea sphere of influence; therefore, it is subject to the 5-8 minutes for response times. Rio Road Fire Station is approximately 7 minutes away and the Community Hospital of the Monterey Peninsula is 12 minutes away, which provides 24-hour emergency medical and fire response services. 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 20 Sections 20.64.290.F.6 and 20.58.040 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 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, Brad Baumann, resides at 1121 Piedmont Avenue, Pacific Grove, CA, approximately 18 minutes away (5.8-mile drive) from the subject property. Mr. Baumann'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 on site 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. 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 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 accessed through Rio Ave., a county-maintained road, to the residence's driveway on the property. Therefore, the application would not be subject to requirements outlined in Title 16, Chapter 16.80.

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.”

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 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 Carmel Area Land Use Plan. It would be the 15th Commercial Vacation Rental out of 118 maximum allowed in the Carmel Area Land Use Plan. The FEIR did address public comments that vacation rentals have the potential for negative side effects including nuisance issues such as traffic, parking and noise. However, no significant environmental effects were identified. County regulations have been developed and are in effect to ensure that vacation rentals remain compatible with existing residential uses. Cumulative impacts of the regulations taken together with other past, present, and probable future projects were analyzed and no significant effects were identified. There is no evidence suggesting that approving this project would result in significant environmental impacts.

OTHER AGENCY INVOLVEMENT

None

Prepared by: Jack Sorensen, 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

Exhibit C - Aerial Image

cc: Front Counter Copy; Jacquelyn M. Nickerson, Principal Planner; Peter & Julie Baumann TRS, Property Owners; Interested Party List: The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Planning File PLN250328.