



County of Monterey

Item No.2

Zoning Administrator

Legistar File Number: ZA 26-007

February 12, 2026

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Matter Type: Zoning Administrator

PLN250170 - DIVAKARUNI RENUKA S TR

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: 1063 Mission Road, Pebble Beach, 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 9 conditions of approval.

PROJECT INFORMATION

Agent: Robbie Hunter

Property Owner: Renuka S Divakaruni Tr

APN: 007-211-017-000

Parcel Size: 0.23

Zoning: Medium Density Residential with a Building Site 6 overlay, Design overlay, and Parking and Use of Major Recreational Equipment Storage in Seaward Zone overlay or "MDR-B-6-D-RES"

Plan Area: Greater Monterey Peninsula Area Plan

Flagged and Staked: Not Applicable

Project Planner: Jade Mason, Assistant Planner

masonj@countyofmonterey.gov; 831-755-3759

SUMMARY:

The project is located at 1063 Mission Road, a privately maintained road, in Pebble Beach. On July 8, 2025, the Owner submitted an application seeking to use their existing single-family dwelling located in residentially zoned neighborhood as a Commercial Vacation Rental. The site is developed with an existing 3,876 square foot single family dwelling with six bedrooms, five bathrooms, and a kitchen. The

Owner is proposing that the residence be occupied by a maximum of 10 people overnight and 15 people during daytime hours at the property at a time. The property will retain its domestic water connections to California American Water, a private water provider, and Monterey Peninsula Water Management District will continue to provide sewer service. The property will retain its solid waste services to GreenWaste, a waste management company. The property is on Mission Road, a private road. If approved, the granting of this Use Permit would allow the establishment of the 3rd permitted vacation rental in the Greater Monterey Peninsula Area Plan out of a maximum of 155 Use Permits that may be issued at any given time pursuant to Title 21 Section 21.64.290.F.3.f.

DISCUSSION:

Based on staff's analysis, the proposed project is consistent with the policies and regulations pertaining to zoning uses and any other applicable provisions 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 overlay, Design overlay, and Parking and Use of Major Recreational Equipment Storage in Seaward Zone overlay or "MDR-B-6-D-RES". Title 21 Section 21.12.050.Y allows for the 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-1.1 and Table PS-1. The subject property is within 4-9 minutes of the Community Hospital of Monterey Peninsula and Pebble Beach Fire Station 22, which provide 24-hour emergency medical and fire response services for structural coverage. 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**).

Parking requirements outlined in Title 21 Sections 21.64.290.F.6 and 21.58.040 requires that a Single-Family Detached residential dwelling unit have 2 spaces/unit. The application includes adequate parking spaces (8 guest parking spaces), which exceeds the minimum requirements.

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, Robbie Hunter, resides at 3 Monte Verde Street, Pebble Beach, 93953, approximately a 5-mile drive from the subject property. Mr. Hunter's contact information will be provided to the guests of the property, and Mr. Hunter will be available 24/7 to respond to guest or neighborhood questions or concerns. Mr. Hunter will also ensure that any neighbor or guest complaints are resolved within thirty minutes. Mr. Hunter'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 10 overnight guests and 15 daytime guests. The proposed occupancy meets 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. Title 7 Section 7.120.070.C also limits the maximum daytime occupancy of occupants and visitors to not exceed a count of 1.5 times the maximum overnight occupancy and shall not exceed a total count of 15 persons per unit, no matter how many bedrooms.

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 used as an event venue and Condition No. 4 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.

Private Road/Access

The property is within the Pebble Beach Company, 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 2019028887.

The deed contains two restrictions: one related to the "Use of Roads and Bridle Paths" and the second related to "Covenants and Conditions", respectively, the fifth and first deed restrictions. The first restriction states that the property owner is "*subject to the provisions hereof, is hereby granted a*

license for the use, by himself, his family, servants, tenants and guests occupying or visiting said premises, of all roads and bridle paths now or hereafter owned by the Grantor in Del Monte Forest, and to free access to Del Monte Forest; in consideration of which the owner of said premises shall be obligated to pay the Grantor the sum of Twenty-five (\$25) on each March 1st hereafter, the payment of which sum is and shall be secured by a lien and charge on said premises.” The plain language of this deed restriction gives the property owner access to their property as long as they pay \$25 each March 1st. The second 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 *“no trade, business or profession of any of any description shall be conducted on said premises. Said premises shall not be used for any purpose whatever except solely and exclusively for the purpose of construction and maintenance of not more than one private single family residence with appurtenant detached guest and servants’ cottages (without cooking facilities), greenhouse, garage, and, if approved in writing by the Grantor, a stable for saddle horses.”* 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.

On January 29, 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].”*

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 9 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 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 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 3rd Commercial Vacation Rental in the Greater Monterey Peninsula Area Plan.

OTHER AGENCY INVOLVEMENT

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

Environmental Health Bureau

Prepared by: Jade Mason, 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- Public Comments

cc: Front Counter Copy; Environmental Health Bureau; Jade Mason, Assistant Planner; Jacquelyn M. Nickerson, Principal Planner; Renuka S Divakaruni Tr, Property Owners; Interested Party List: The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Planning File PLN250170.