

**LYNNE MOUNDAY  
ZONING ADMINISTRATOR**

**STATE OF CALIFORNIA  
COUNTY OF MONTEREY**

RESOLUTION NO. 020017

A.P. # 007-343-011-000

In the matter of the application of  
**Harold McCoy (PLN020017)**

**FINDINGS & DECISION**

for an Administrative Permit in accordance with Title 21 (Zoning) Chapter 21.70 (Administrative Permits) of the Monterey County Code, to allow for the use of a short term rental unit, located at 3126 Birdrock Road, Pebble Beach on the corner of Bird Rock Road and Marcheta Lane, Del Monte Forest area, came on regularly for meeting before the Zoning Administrator on April 25, 2002.

Said Zoning Administrator, having considered the application and the evidence presented relating thereto,

1. **FINDING:** The proposed project and/or use, as described in condition #1, is consistent with the policies of the Monterey County General Plan, the applicable Area Plan and the requirements and standards of the Monterey County Zoning Ordinance (Title 21).  
**EVIDENCE:** The text and policies of these documents have been evaluated during the course of the review of this application. No conflicts were found to exist. No communication was received during the course of review of this project to indicate that there is any inconsistency with the text and policies of these documents.
2. **FINDING:** The proposed project will not have a significant environmental impact.  
**EVIDENCE:** The State CEQA Guidelines categorically exempts this project from environmental review pursuant to CEQA Guideline Section 15301. No factors described in Section 15300.2 exist. No potentially adverse environmental impacts were identified during review of the proposed project.
3. **FINDING:** The project has been referred to public hearing before the Zoning Administrator as a result of a recommendation for denial of the project by the Del Monte Forest Land Use Advisory Committee.  
**EVIDENCE:** Materials in project file.
4. **FINDING:** Public notice of the pending Administrative Permit was provided pursuant to Section 21.70.040, Title 21, Monterey County Code (Zoning).  
**EVIDENCE:** Materials in project file.
5. **FINDING:** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivisions, and any other applicable provisions of Title 21, that no violations exist on the property, and that all zoning violation abatement costs have been paid.

**EVIDENCE:** Sections 21.12, 21.42 and 21.57 of the Monterey County Code (Zoning). Staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property.

6. **FINDING:** The establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.

**EVIDENCE:** Preceding findings and supporting evidence.

### DECISION

THEREFORE, it is the decision of said Zoning Administrator, that said application for an Administrative Permit be granted as shown on the attached sketch, subject to the following conditions:

1. This permit allows the use of an existing single story, single family dwelling as a short term rental. The project is in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all the conditions of this permit are met to the satisfaction of the Director or Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions in this permit is a violation of county regulation and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. **(Planning and Building Inspection Department)**
2. The applicant shall record a notice which states: "A permit (Resolution 020017) was approved by the Zoning Administrator for Assessor's Parcel Number 007-343-011-000 on April 25, 2002. The permit was granted subject to 16 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of Building Permits or commencement of the use. **(Planning and Building Inspection Department)**
3. The minimum rental period for all transient use of the residential property shall be the greater of seven (7) consecutive calendar days or the minimum rental period set forth in enforceable, recorded conditions, covenants, and restrictions encumbering the property. **(Planning and Building Inspection Department)**
4. No more than five (5) vehicles may be parked on site (two (2) in the garage and two (2) in the driveway and one (1) on the street) at any given time. No recreational vehicles will be permitted to be parked on the street for an extended period of time. The property manager is responsible for having the recreational vehicle removed from the premises if it has been parked for over 72 hours. **(Planning and Building Inspection Department)**
5. The number of occupants in any residential unit for transient use shall not exceed 6. Section 503.2 of the 1994 Edition of the Uniform Housing Code provides that habitable rooms shall not be less than 70 square feet in size. Where more than two persons occupy a room used for sleeping purposes, the required floor

area shall be increased at the rate of 50 square feet per person in excess of two people. **(Planning and Building Inspection Department)**

6. Availability of the rental unit to the public shall not be advertised on site. **(Planning and Building Inspection Department)**
7. The administrative permit holder shall collect and remit to the Treasurer of the County of Monterey, the transient occupancy tax for each rental unit per Ch. 5.40 of the Monterey County Code. **(Planning and Building Inspection Department)**
8. Prior to commencement of use a deed restriction shall be recorded with the Monterey County Recorder which states: "An Administrative Permit has been granted for the transient residential use of this parcel, and subject to the conditions in File PLN020017 of the Monterey County Planning and Building Inspection Department." **(Planning and Building Inspection Department)**
9. The property shall not be rented for transient residential use more than 20 times per calendar year, not to exceed a total of 151 days per calendar year. **(Planning and Building Inspection)**
10. If the property owner or applicant does not reside within a five-mile radius of the rental unit covered by this permit, the owner/applicant shall designate a person located within a 25-mile radius of the rental unit, as a local contact person. That person shall be available 24 hours a day to respond to tenant and neighborhood question or concerns and to otherwise be responsible for assuring that the rental unit complies with the requirements of this Permit and other applicable provisions of Title 21. The name, address, and telephone numbers(s) of such a designated person shall be furnished to the Director of Planning and Building Inspection. The permit holder shall promptly notify the Director of Planning and Building Inspection of any change in the local contact person's address or telephone number. **(Planning and Building Inspection)**  
The current designated contact person: Jeff Britton, P.O. Box 22123, Carmel, CA 93922  
(831)624-3846.
11. All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located. **(Pebble Beach Community Services District Fire Department)**
12. The size of letters, numbers and symbols for addresses shall be a minimum of 3 inch letter height, 3/8 inch stroke, contrasting with the background color of the sign. **(Pebble Beach Community Services District Fire Department)**
13. The applicant shall obtain from the Monterey County Water Resources Agency (MCWRA), proof of water availability on the property in the form of an approved Water Release Form. **(Water Resources Agency)**

14. A smoke detector shall be installed in each sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. **(Pebble Beach Community Services District Fire Department)**
  
15. Portable fire extinguishers shall be installed in occupancies and locations as set forth in this code and as required by the Chief. (1-5# ABC rated fire extinguisher near the kitchen) **(Pebble Beach Community Services District Fire Department)**

**Continuous Permit Conditions:**

16. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. **(Planning and Building Inspection Department)**

**PASSED AND ADOPTED** this 25<sup>th</sup> day of **April**, 2002.

Original Signed By:

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LYNNE MOUNDAY  
ZONING ADMINISTRATOR

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY TO THE MONTEREY COUNTY PLANNING COMMISSION ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE \_

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90<sup>th</sup> day following the date on which this decision becomes final.