Introduced: 8/7/2026 **Current Status:** Agenda Ready

Version: 1 **Matter Type:** Zoning Administrator

PLN250069 - YUAN XINGCHAO CHUCK & JACKIE JIE TRS

Public hearing to consider an after-the-fact Commercial Vacation Rental to allow the use of residential property for transient lodging for a period of 30 calendar days or fewer to clear a Code Enforcement Case (26CE00273).

Project Location: 1056 The Old Drive, Pebble Beach, CA 93953, Del Monte Forest Land Use Plan

Proposed CEQA action: Find the project Categorically Exempt pursuant to CEQA Guidelines section 15301, and there are no exceptions pursuant to Section 15300.2.

RECOMMENDATIONS

It is recommended that the Zoning Administrator adopt a resolution to:

a. Find the project qualifies for a Class 1 Categorical Exemption from CEQA Guidelines Section 15301, and that none of the exceptions from Section 15300.2 apply to the project; and
b. Approve an after-the-fact 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 to clear a Code Enforcement Case (26CE00273).

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to 6 conditions of approval.

PROJECT INFORMATION

Property Owner: Yuan Xingchao Chuck & Jackie Jie Trs
APN: 007-232-004-000
Parcel Size: 0.23 acre
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: N/A
Project Planner: Imani Harrigan, Assistant Planner
harrigani@countyofmonterey.gov; 831-755-5845

SUMMARY/DISCUSSION

The project site is located at 1056 The Old Drive, within the Greater Monterey Peninsula Area Plan. The owners submitted an application seeking to use their existing single-family dwelling located in Medium Density residentially zoned neighborhood as a Commercial Vacation Rental. The site is developed with a single-family dwelling with an attached garage. The surrounding area is developed

with single-family dwellings and the Pebble Beach golf course (**Exhibit B**).

The existing single dwelling has three bedrooms, two bathrooms, a kitchen, living room, and attached garage. The owner 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 will retain its potable water through California American Water, and Pebble Beach Community Services District will also be sufficient in its continuance in providing sewer for the dwelling. The property will retain its solid waste services from Greenwaste, a waste management company. Within the immediate neighborhood, there are a total of 5 other applications for a vacation rental license: one applied homestay, one incomplete limited vacation rental, two approved commercial vacation rentals, and one applied commercial vacation rental. If approved, the granting of this after-the-fact Use Permit would allow the establishment of the 30th 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.

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 Monterey County 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 applicable sections of the Monterey County zoning ordinance (Title 21).

Land Use
The parcel is zoned Medium Density Residential, with a Building Site 6 Overlay, with a Design Control Overlay, and Regulations for Parking and Use of Major Recreational Equipment Storage, 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 Coastal Development 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 is adequate pursuant to the 2010 County of Monterey General Plan Safety Element Policy PS-1.1 and Table PS-1. The submitted Operations Plan includes contact information for County emergency services for fire and emergency medical. The subject property falls within the Pebble Beach community area; therefore, it is subject to the response time for community areas. The service level goals for fire and ambulance/emergency services are 5 to 8 minutes of coverage for community areas. The Pebble Beach Fire Station 22 is 3 minutes away which provides 24-hour emergency medical and fire response services. The Community Hospital of the Monterey Peninsula is 9 minutes away. Although the hospital is over the required response time, Pebble Beach fire station also provides 24-hour emergency medical services which includes advance life support. Therefore, this project complies with Title 21 Section 21.64.290.F.5. 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 a part of the informational notice posted within six feet of the front door and in a visible location outside of the structure (Condition No. 5).

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 of 4 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 Owner has provided evidence of compliance with the applicable requirements. The designated Property Manager for the Commercial Vacation Rental will be Margaret Bellini, who resides at 1060 The Old Drive, Carmel, CA 93923, which is a 1-minute drive away. Ms. Bellini's contact information will be provided to the guests of the property, and Ms. Bellini's will be available 24/7 to respond to guest or neighborhood questions or concerns, and has the ability to arrive within 30 minutes. Ms. Bellini'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 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 rented for the purposes of holding a corporate or private 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 20.70.060, if the property is found to be in violation of the approved operations plan or conditions of approval attached to this after-the-fact Use Permit, the permit may be revoked for non-compliance.

Access

The subject property is accessed through The Old Drive which is a private road. 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 within the deed for the subject property. The deed for the subject property was recorded as Deed Number 508.

The deed contains language regarding the use of the roads and property, respectively, the first and fifth deed restrictions. The first deed restriction restricts the usage of the property and states that "*the Buyer shall not at any time conduct, or permit to be conducted, on said premises, any trade or business for any description, nor shall said premises be used or occupied for any other purposes whatever except solely and exclusively for the purpose of a private dwelling or residence without the consent in writing of the Seller.*" The fifth restriction states that the Seller, "*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 Seller to maintain the roads in the Del Monte Forest (of which the premises herein described are a part) the Buyer, 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 Seller 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 Buyer is the owner of a Class "A" Membership Certificate in the Monterey Peninsula Country Club, said Club under a contract with Seller, shall deduct said sum of $25.00 from the dues paid by Buyer as such Class "A" Member, and said sum shall be by said Club remitted to Seller and be accepted as payment of Buyer's obligation hereunder. Upon the receipt of said sum and for a period of one (1) year after the receipt thereof, the Buyer, his family, servants and employees, shall have the right to enter at will the Del Monte Forest and to the privilege of using all the roads of the Seller therein open and generally in use at the time of such use. Seller expressly reserves the right to change any of its roads or to abandon or close any or all of said roads which are not actually necessary for ingress and egress to and from the premises herein described to the nearest public highway. The Seller further reserves the right to refuse to further maintain and repair the road leading from the premises herein described to the nearest public highway, and in that event the Buyer shall have the right to use said road without making the above payment."* The plain language of this deed gives the property owner access to their property as long as the owner pays $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. Although the deed allows the right to access, subsequent language within the deed state that no trade or business can occur without the approval of the Grantor.

The Pebble Beach Company received notification of the proposed project on August 20, 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 E) The applicant is aware of the objections and restrictions outlined within the deed and believes he still has right to continue the use of the property for

the proposed application of a Commercial Vacation Rental contrary to the objection outlined by Pebble Beach. Therefore, substantive dispute regarding the plain language of the deed exists.

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 and within 60 days or project approval. 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.

Violation

There is a violation attributed to the subject parcel. On April 23rd, 2026, a complaint was received stating the property owner was operating vacation rentals without the appropriate permits. On June 8th, 2026, the owner submitted an application for a Use Permit for an after-the-fact Commercial Vacation Rental to allow the use of a residential property for transient lodging for a period of 30 calendar days or fewer to clear a Code Enforcement Case 26CE00273. The approval of the proposed after-the-fact Use Permit would abate the violation for operating a vacation rental without the appropriate permits and bring the subject property into compliance, subject to any remaining enforcement fines.

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 of Supervisors 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 Greater Monterey Peninsula Area Plan. It would be the 30th Commercial Vacation Rental in the Greater Monterey Peninsula Area 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

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

HCD-Planning

Prepared by: Imani Harrigan, Assistant Planner
Reviewed and Approved by: Jacquelyn M. Nickerson, Principal Planner

The following attachments are on file with HCD:
Exhibit A - Draft Resolution including:
- Recommended Conditions of Approval
- Operations Plan
- Site Plan & Floor Plan

Exhibit B - Aerial Image & Surrounding Neighborhood
Exhibit C - Vicinity Map
Exhibit D - Home Inspection Checklist
Exhibit E - Public Comment

cc: Front Counter Copy; HCD-Planning; Imani Harrigan, Assistant Planner; Jacquelyn M. Nickerson, Principal Planner; Xingchao Chuck Yuan & Jackie Yu, Property Owners; NAME, Agent; Interested Parties: The Open Monterey Project (Molly Erickson); Laborers International Union of North America (Lozeau Drury LLP); Christina McGinnis, Keep Big Sur Wild; LandWatch; Planning File PLN250069