



# County of Monterey

Item No. 4

## Zoning Administrator

Legistar File Number: ZA 26-038

April 09, 2026

**Introduced:** 4/3/2026

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Zoning Administrator

### **PLN230348 - BRIGGS MARIZE H TR**

Public hearing to consider action on an after-the-fact Commercial Vacation Rental to allow the use of one single family dwelling on a residential property for transient lodging for a period of 30 calendar days or fewer to clear Code Enforcement Violations 23CE00379 and 26CE00026.

**Project Location:** 376 Corral de Tierra Rd Unit 2, Salinas, CA 93908

**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 one single family dwelling on a residential property for transient lodging for a period of 30 calendar days or fewer to clear Code Enforcement Violations 23CE00379 and 26CE0026.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to 9 conditions of approval.

### PROJECT INFORMATION

**Agent:** Michelle Briggs

**Property Owner:** Marize H Briggs Tr

**APN:** 151-041-030-000

**Parcel Size:** 24.28 AC

**Zoning:** Resource Conservation (RC/10-VS), maximum gross density of 1 unit per 10 acres, Visual Sensitivity Overlay

**Plan Area:** Toro Area Plan

**Flagged and Staked:** N/A

**Project Planner:** Kyle Benalcazar, Assistant Planner

benalcazark@countyofmonterey.gov; 831-784-5716

### SUMMARY/DISCUSSION

The project site is located at 376 Corral de Tierra Rd Unit 2, within the Toro Area Plan. On December 8, 2023, the Applicant/Owners submitted an application seeking to use one of their existing single-family dwelling as a Commercial Vacation Rental. The site is developed with five single-family dwellings, a barn, two tool sheds, a carport, and a covered hay barn (Exhibit A.2). The site contains a

small creek that runs through the front portion of the property. The proposed commercial vacation rental is within the single-family dwelling unit known as Unit #2, and is 1,483 square feet, has three bedrooms, two bathrooms, a kitchen, and living room. The Applicant/Owner 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 remaining structures are not included within this application and will continue to be occupied with the existing owners and/or long-term renters. The site has existing addressing to identify each of the structures upon arrival.

The property is served by a private well, which has been verified by the County of Monterey Environmental Health Bureau (EHB) to satisfy the bacteriological and acute inorganic primary drinking water standards, and the onsite septic system will be sufficient to provide sewer treatment for the dwelling. The property will retain its solid waste services to Waste Management, a waste management company. If approved, the granting of this after-the-fact use permit would allow the establishment of the 5th permitted vacation rental in the Toro Land Use Plan out of a maximum of 173 use permits that may be issued at any given time pursuant to Title 21 Section 21.64.290.F.3.d.

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), Toro Area Plan (TAP), County Code Title 7 Chapter 7.120, and applicable sections of the Monterey County Zoning Ordinance (Title 21).

#### *Land Use*

The parcel is zoned Resource Conservation (RC/10-VS), maximum gross density of 1 unit per 10 acres with a Visual Sensitivity Overlay, or "RC/10-VS". Title 21 Section 21.36.050.JJ 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 parcel is located on Corral De Tierra Road, a Scenic Highway Corridor, and is in a visually sensitive area of the Toro Area Plan. However, the project also does not propose any physical changes that would have any potential to impact scenic resources: no construction, exterior alterations to structures, land alteration, or vegetation (or tree) removal are proposed.

The parcel contains a creek from the northwest edge to the southeast edge towards the front of the parcel. Access to the creek will not be available to the guests of the commercial vacation rental. The Applicant/Owner states the creek is dry most of the year, and there is dense tree and brush vegetation, including dense poison oak, along the creek behind Unit 2 to prevent guest access. The parcel contains a bridge with attached fencing to cross over the creek, and the bridge contains low and slow speed limit signage.

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 services is 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 a 10-minute drive from the Monterey County Regional Fire Station 3 and a 20-minute drive from Salinas Valley Health Medical Center, which provides

24-hour emergency medical and fire response services. County 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 21 Sections 21.64.290.F.6 and 21.58.040 requires that a Single-Family Detached residential dwelling unit have two spaces/unit. The application includes adequate parking spaces (three guest parking spaces), which exceeds the minimum requirements. The parking will be located immediately outside and in front of the single-family dwelling unit. The carport located across from the single-family dwelling will not be used for commercial vacation rental parking, as the guests do not have access to the carport, and the carport is used for equipment and storage purposes.

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 will be Michelle Briggs, who will reside at 376 Corral de Tierra Rd Unit 2, Salinas, CA 93908, on a separate single-family dwelling unit located on site. Ms. Briggs' contact information will be provided to the guests of the property, and Ms. Briggs will be available 24/7 to respond to guest or neighborhood questions or concerns, and has the ability to arrive within 30 minutes. Ms. Briggs' 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 seven 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 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 21.74.060, 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.

*Access*

The property is accessed through Corral de Tierra Road, a County owned and maintained public road, and therefore is not subject to Title 16 Chapter 16.80, which regulates private roads in Monterey County.

*Violations*

On November 13, 2023, an inquiry letter from HCD-Code Compliance was sent to the property owner stating that the property may possibly be in violation with Monterey County Code through the operation of a non-permitted vacation rental and that immediate action shall be taken to bring the property into compliance. On December 8, 2023, the applicant submitted a request for 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 and abate Code Enforcement Violation No. 23CE00379 to bring their property into compliance with the Monterey County Code. The Commercial Vacation Rental for the inland area of the County of Monterey was in effective on October 14, 2024. The applicant failed to diligently pursue compliance with Commercial Vacation Rental permitting. On January 15, 2026, an administrative citation from HCD-Code Compliance was issued pursuant to an inspection conducted on January 14, 2026 which identified the unpermitted short-term rental use of residence. On February 13, 2026, the applicant submitted the remaining application materials to continue the permitting process to abate Code Enforcement Violation No. 26CE00026 to bring their property into compliance with the Monterey County Code. With the approval of this permit, the violations would be fully abated and would and bring the subject property into compliance.

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 Toro Land Use Plan. It would be the 5th Commercial Vacation Rental in the Toro 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

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

HCD-Planning  
HCD-Environmental Health Bureau

Prepared by: Kyle Benalcazar, 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
- Site Plans
- Operational Plan
- Home Inspection Checklist

Exhibit B - Vicinity Map

Exhibit C - Aerial Image

cc: Front Counter Copy; HCD-Planning; Kyle Benalcazar, Assistant Planner; Jacquelyn M. Nickerson, Principal Planner; Marize H. Briggs Tr, Property Owners; Michelle Briggs, 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 PLN230348