



County of Monterey

Item No.4

Zoning Administrator

Legistar File Number: ZA 26-012

February 26, 2026

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Matter Type: Zoning Administrator

PLN240095 - RUSSELL CAROL TR

Public hearing to consider action on 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 Code Enforcement Case 21CE00504.

Project Location: 503 Corral de Tierra Rd, Salinas, CA 93908

Proposed CEQA Action: Find the project Categorically Exempt pursuant to CEQA Guidelines section 15301, and find that 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 an after-the-fact Use Permit for 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 Code Enforcement Case 21CE00504.

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

PROJECT INFORMATION

Agent: Anna Russell

Property Owner: RUSSELL CAROL TR

APN: 416-452-040-000

Parcel Size: 9.48 acres

Split-Zoned: Resource Conservation, 1 units per lot, 10 acre minimum with Design Control overlay and Resource Conservation, 1 units per lot, 10 acre minimum, Design Control with Visual Sensitivity overlay or "RC/10-D|RC/10-VS."

Plan Area: Toro Area Plan

Flagged and Staked: Not Applicable

Project Planner: Kyle Benalcazar, Assistant Planner

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SUMMARY/DISCUSSION:

The project is located at 503 Corral de Tierra Rd, a County-owned and maintained road, in the Toro Area of the unincorporated area of the County of Monterey. On March 29, 2024, the Owner, Anna Russell, submitted an application seeking to use their existing single-family dwelling located in a resource conservation neighborhood as a vacation. The existing single-family dwelling, known as the “Vineyard House” is 1,616 square feet with three bedrooms, two bathrooms, and a kitchen. The Owner is proposing a maximum occupancy of seven guests overnight, 11 guests during daytime hours, and a maximum of five contractors on site at any time (three cleaning crew and two landscape crew). 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 USA Waste of California, a waste management company. Presently, only one commercial vacation rental has been permitted in the Toro Area Plan under the County’s current regulations pursuant to Title 21, Section 21.64.290. If approved, the granting of this Use Permit would allow the establishment of the second permitted short-term vacation rental in the Toro Area Plan out 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 review of the planning application materials, the property complies with all rules and regulations pertaining to zoning uses and other applicable the 2010 County of Monterey General Plan (General Plan), Toro Area Plan (TAP), Monterey County Code Title 7 Chapter 7.120 (Title 7), and the Monterey County Inland Zoning Ordinance (Title 21).

Land Use

The parcel is split zoned Resource Conservation, one unit per lot, 10 acre minimum with a small portion to the northwest corner of the property having a Design Control overlay and the remainder of the parcel having a Visual Sensitivity overlays or “RC/10-D|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, a Scenic Highway Corridor, and is in the Critical Viewshed 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 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 a 15-minute drive from the Monterey County Regional Fire Station 3 and a 24-minute drive from Salinas Valley Health Medical Center, which provides 24-hour emergency medical and fire response services. County 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 two spaces/unit. The application includes three 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 only 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 only allowed to have an ownership interest in one Commercial Vacation Rental within unincorporated Monterey County. The owner of the property does 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, Anna Russell, resides at 100 Robley Road, Salinas, CA 93908, approximately 5 miles (15 minutes) from the subject property. Ms. Russell's contact information will be provided to the guests of the property, and Ms. Russell will be available 24/7 to respond to guest or neighborhood questions or concerns, and have the ability to arrive within thirty minutes. Ms. Russell'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 seven overnight guests, 11 daytime guests, and five contractors. 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 12 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 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.

Violations

On April 13, 2022, 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. The applicant submitted a request 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 and abate Code Enforcement Violation No. 21CE00504 to bring their property into compliance with the Monterey County Code on March 29, 2024. No additional complaints have been received.

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 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 would 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 Final Environmental Impact Report (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 or unavoidable 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 Area Plan. It would be the second approved commercial vacation rental in the Toro Area Plan. The FEIR did disclose that vacation rentals have the potential for negative side effects including nuisance issues such as traffic, parking and noise. County regulations have been developed and are in effect to ensure that vacation rentals remain compatible with existing residential uses and limits such nuisances in which the applicant/operator must comply with. Additionally, cumulative impacts of the regulations taken together with other past, present, and probable future projects were analyzed. There is no evidence suggesting that implementing the regulations would result in a significant or unavoidable environmental impacts.

OTHER AGENCY INVOLVEMENT

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

Environmental Health Bureau

Prepared by: Kyle Benalcazar, 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; Jacquelyn M. Nickerson, Principal Planner, Fionna Jensen, Principal Planner, Anna Russell, Property Manager; Carol Russell, Owner; Interested Party List: The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Planning File PLN240095.