



County of Monterey

Item No.1

Zoning Administrator

Legistar File Number: ZA 26-006

February 12, 2026

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Current Status: Agenda Ready

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Matter Type: Zoning Administrator

PLN250211 - MASON JOHN E & CHERYL L TRS

Public hearing to consider 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: 789 Salinas Monterey Hwy, Salinas, 93908

Proposed CEQA action: Find the project Categorical 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 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 8 conditions of approval.

PROJECT INFORMATION

Agent: John Mason

Property Owner: John & Cheryl Mason

APN: 161-641-005-000

Parcel Size: 1.689 acres

Zoning: Low Density Residential, 1 acre per unit with a Visual Sensitivity overlay and a structure height limit of 20 feet, or "LDR/1-VS (20)'"

Plan Area: Toro Area Plan

Flagged and Staked: N/A

Project Planner: Jordan Evans-Pollockow, Assistant Planner

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SUMMARY/DISCUSSION

The project site is located at 789 Salinas Monterey Highway in Salinas, a privately maintained road, within the Toro Area Plan. On January 18, 2025, the Owners, John and Cheryl Mason, submitted an application seeking to use their existing single-family dwelling located in low density residentially zoned neighborhood as a Commercial Vacation Rental. The site is developed with an existing 3,096 square foot single-family dwelling and Accessory Dwelling Unit. The application does not include the Accessory Dwelling Unit.

The single dwelling is four bedrooms, four bathrooms, a kitchen, living room, game room, and garage. The Applicant/Owner is proposing that the residence be occupied by a maximum of 9 people overnight and 14 people during daytime hours at the property at a time. The property will retain its water connections to an onsite well, 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. The property is on Salinas Monterey Highway, a scenic highway. If approved, the granting of this Use Permit would allow the establishment of the second permitted vacation rental in the Toro Area 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), Monterey County Code Title 7 Chapter 7.120, Monterey County Code Chapter 16.80, and applicable sections of the Monterey County Inland zoning ordinance (Title 21).

Land Use

The parcel is zoned Low Density Residential, 1 acre per unit with a Visual Sensitivity Overlay, and a structure height limit of 20 feet, or "LDR/1-VS (20)". Title 21 Section 21.14.050.EE 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-1safe.1 and Table PS-1. The subject property is within 4-15 minutes of the Monterey County Regional Fire Station and Salinas Valley Health Medical Center, 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 (10 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 will be the owner, John Mason, who will reside at 791 Monterey Salinas Highway, Salinas, CA 93908, next door to the subject property which is less than 30 minutes away. Mr. Mason's contact information will be provided to the guests of the property, and Mr. Mason will be available 24/7 to respond to guest or neighborhood questions or concerns. Mr. Mason'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 9 overnight guests and 14 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. 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 accessed through a privately owned easement from Salinas Monterey Highway, a scenic highway, and 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. Additionally, the property is accessed through a private easement that traverses over neighboring properties. The access easement serves a total of 5 adjacent properties including the subject property for the commercial vacation rental. A private road maintenance agreement was not found on file; therefore, this application would be considered a Tier 1 as defined in Chapter 16.80. Property owners with access through the private road have been notified of the proposed project on January 29, 2026. No comments or objections have been received and no further documentation or condition is required of the applicant.

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 Toro Area Plan. It would be the second Commercial Vacation Rental in the Toro Area Plan.

OTHER AGENCY INVOLVEMENT

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

- HCD-Engineering Services
- Environmental Health Bureau
- HCD-Environmental Services
- Monterey County Regional Protection District

Prepared by: Jordan Evans-Pollockow, Assistant Planner, x7065

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

cc: Front Counter Copy; Monterey County Regional Protection District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Jordan Evans-Pollockow,

Planner; Jacquelyn M. Nickerson, Principal Planner; John & Cheryl Mason, Property Owner; John Mason, 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 PLN250211.