

**Before the Planning Commission in and for the
County of Monterey, State of California**

Resolution No. 08007)
Resolution of the Monterey County)
Planning Commission recommending)
that the Monterey County Board of)
Supervisors Amend Chapter 20.58)
(Coastal) and Chapter 21.58 (Non-)
Coastal) of the Monterey County)
Code (Regulations for Parking) to)
eliminate the covered parking)
requirement for new developments)
in residential zoning districts other)
than High Density Residential (HDR))
and Medium Density Residential)
(MDR) (PLN060514))

The Covered Parking Regulation Revisions (PLN060514) came on for public hearing before the Monterey County Planning Commission on February 13, 2008. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission forwards the following recommendation to the Board of Supervisors with reference to the following facts:

I. RECITALS:

- A. Current Monterey County parking regulations, codified in Title 20 (Coastal) and Title 21 (Inland) of the Monterey County Code, require that all residential developments provide at least one covered parking space for each dwelling unit. This requirement exists regardless of whether the property is located in a rural area (e.g., South County), a more densely developed community (e.g., Castroville), or on a property constrained by environmentally sensitive habitats (e.g., Maritime Chaparral). These requirements do not take into account the diverse character of the County and in some cases create difficulties for compliance with policies intended to minimize the impact of development on environmentally sensitive habitats, viewsheds, and slopes.

- B. At the direction of the Planning Commission, staff prepared the ordinances attached hereto as Attachments 1 and 2 and incorporated herein by reference to amend section 20.58.050.F (Coastal) and section 21.58.050.F (Non-Coastal) of the Monterey County Code to eliminate the covered parking requirement for new residential developments in residential zoning districts other than High Density Residential (HDR) and Medium Density Residential (MDR). Under the proposed ordinances, in all residential zoning districts other than HDR and MDR, covered parking spaces are not required for development approved after the effective date of these ordinances provided that the total number of required parking spaces required by Chapter 20.58 or Chapter 21.58, as applicable, are constructed. In all residential zoning districts other than HDR and MDR districts, residential development that was approved but which had not received final

building inspection approval as of the effective date of the ordinance amendment may be relieved of the requirement to provide covered parking spaces if the development provides the total number of parking spaces required by Chapter 21.58 and if the County approves the revised site plan to omit the covered parking and determines that no further environmental analysis is required.

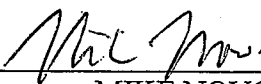
- C. In accordance with the California Environmental Quality Act (CEQA), the County prepared an Initial Study/Negative Declaration, which was circulated for public review beginning September 24, 2007. An Errata to the Initial Study/Negative Declaration was prepared on January 22, 2008 to address the changes in the proposed draft ordinance. The Errata clarifies information contained in the circulated CEQA document, but does not substantively alter its analysis or conclusions. The effect of the amendments would be increased flexibility for residential development in certain residential zoning areas, other than HDR and MDR, to either include or exclude covered parking at the discretion of the property owner or developer. This amendment is consistent with applicable General Plan goals and policies by providing the flexibility to consider the diverse character of the County the size of the property and protection of environmental resources.
- D. Pursuant to Government Code sections 65854 and 65855, the Planning Commission must hold a noticed public hearing to consider amendments to County zoning ordinances and must make a written recommendation on the ordinances to the Board of Supervisors.
- E. On February 13, 2008, the Planning Commission held a duly noticed public hearing on the proposed amendments and considered the Initial Study and Negative Declaration and Errata before making this recommendation.

II. DECISION:

NOW, THEREFORE, the Monterey County Planning Commission hereby recommends that the Board of Supervisors take the following actions to eliminate the covered parking requirement for new residential developments in residential zoning districts other than High Density Residential (HDR) and Medium Density Residential (MDR) districts: 1) adopt the Initial Study/Negative Declaration; 2) approve a resolution of intent to adopt an ordinance (Attachment 1) to amend section 20.58.050.F (Coastal) of the Monterey County Code and submit the amendment to the Coastal Commission for certification; and 3) adopt an ordinance (Attachment 2) to amend section 21.58.050.F (Non-Coastal) of the Monterey County Code .

PASSED AND ADOPTED on this 13th day of February 2008, by the following vote, to-wit:

AYES: Brown, Padilla, Ottone, Rochester, Diehl, Sanchez, Salazar, Vandevere
NOES: None
ABSENT: Isakson
ABSTAIN: Pessagno

By 
MIKE NOVO, SECRETARY

ATTACHMENT 1

ORDINANCE NUMBER _____

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, AMENDING SUBSECTION F OF SECTION 20.58.050 OF THE MONTEREY COUNTY CODE TO ELIMINATE THE COVERED PARKING REQUIREMENT FOR NEW DEVELOPMENTS IN RESIDENTIAL ZONING DISTRICTS OTHER THAN HIGH DENSITY RESIDENTIAL AND MEDIUM DENSITY RESIDENTIAL DISTRICTS IN THE UNINCORPORATED COASTAL AREAS OF THE COUNTY OF MONTEREY.

County Counsel Summary

This Ordinance amends Subsection F of Section 20.58.050 of the Monterey County Code related to covered parking requirements for new residential development located in unincorporated coastal areas of Monterey County. This Ordinance allows new residential development in residential zoning districts other than High Density Residential (HDR) and Medium Density Residential (MDR) districts not to provide covered parking spaces as long as the development provides the total number of parking spaces otherwise required under Chapter 20.58. New developments that were approved but which have not received final building inspection approval as of the effective date of this Ordinance may also be allowed under certain specified conditions to proceed under the parking requirements as revised by this Ordinance.

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. Subsection F of Section 20.58.050 of the Monterey County Code is hereby amended to read as follows:

F. ~~In all residential developments, at least one covered parking space for each dwelling shall be provided.~~ In all residential developments in High Density Residential (HDR) and Medium Density Residential (MDR) zoning districts, at least one covered parking space for each dwelling unit shall be provided. Covered parking shall count toward the amount of required parking. In all residential zoning districts other than HDR and MDR districts, residential development approved after the effective date of Ordinance No. _____ is not required to provide covered parking spaces, provided that the development provides the total number of parking spaces otherwise required under ~~Section 21.58.040~~ Section 20.58.040. In all residential zoning districts other than HDR and MDR districts, residential development that was approved but which had not received final building inspection approval as of the effective date of Ordinance No. _____ may be relieved of the requirement to provide covered parking spaces if the development provides the total number of parking spaces required by ~~Chapter 21.58~~ Chapter 20.58 and if the County approves the revised site plan to omit the covered parking and determines that no further environmental analysis is required.

SECTION 2. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective on the 31st day after its adoption.

PASSED AND ADOPTED this ____ day of _____, 2008 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

FERNADO ARMENTA, CHAIR
Monterey County Board of Supervisors

ATTEST:

LEW C. BAUMAN,
Clerk of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM BY:

Leroy W. Blankenship
Assistant County Counsel

ATTACHMENT 2

ORDINANCE NUMBER _____

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, AMENDING SUBSECTION F OF SECTION 21.58.050 OF THE MONTEREY COUNTY CODE TO ELIMINATE THE COVERED PARKING REQUIREMENT FOR NEW DEVELOPMENTS IN RESIDENTIAL ZONING DISTRICTS OTHER THAN HIGH DENSITY RESIDENTIAL AND MEDIUM DENSITY RESIDENTIAL DISTRICTS IN THE UNINCORPORATED NON-COASTAL AREAS OF THE COUNTY OF MONTEREY.

County Counsel Summary

This Ordinance amends Subsection F of Section 21.58.050 of the Monterey County Code related to covered parking requirements for new residential development located in unincorporated non-coastal areas of Monterey County. This Ordinance allows new residential development in residential zoning districts other than High Density Residential (HDR) and Medium Density Residential (MDR) districts not to provide covered parking spaces as long as the development provides the total number of parking spaces otherwise required under Chapter 21.58. New developments that were approved but which have not received final building inspection approval as of the effective date of this Ordinance may also be allowed under certain specified conditions to proceed under the parking requirements as revised by this Ordinance.

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. Subsection F of Section 21.58.050 of the Monterey County Code is hereby amended to read as follows:

F. In all residential developments, at least one covered parking space for each dwelling shall be provided. In all residential developments in High Density Residential (HDR) and Medium Density Residential (MDR) zoning districts, at least one covered parking space for each dwelling unit shall be provided. Covered parking shall count toward the amount of required parking. In all residential zoning districts other than HDR and MDR districts, residential development approved after the effective date of Ordinance No. _____ is not required to provide covered parking spaces, provided that the development provides the total number of parking spaces otherwise required under Section 21.58.040. In all residential zoning districts other than HDR and MDR districts, residential development that was approved but which had not received final building inspection approval as of the effective date of Ordinance No. _____ may be relieved of the requirement to provide covered parking spaces if the development provides the total number of parking spaces required by Chapter 21.58 and if the County approves the revised site plan to omit the covered parking and determines that no further environmental analysis is required.

SECTION 2. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective on the 31st day after its adoption.

PASSED AND ADOPTED this ____ day of _____, 2008 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

FERNADO ARMENTA, CHAIR
Monterey County Board of Supervisors

ATTEST:

LEW C. BAUMAN,
Clerk of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM BY:

Leroy W. Blankenship
Assistant County Counsel