

**ORDINANCE NO. 3562 C.S.**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF MONTEREY**

**DELETING MONTEREY CITY CODE SECTION 38-126(G) TO REMOVE THE EXPIRATION  
CLAUSE AND RE-AUTHORIZE THE SAFE PARKING USE PERMIT AS A PERMANENT  
PROGRAM**

THE COUNCIL OF THE CITY OF MONTEREY DOES ORDAIN, as follows:

SECTION 1:

WHEREAS, in 2015, the City Council adopted Ordinance 3522 amending the zoning ordinance to add Section 38-126 Safe Parking Program;

WHEREAS, the ordinance was adopted with an expiration clause that requires an automatic sunset date of April 1, 2017, absent re-authorization by the City Council;

WHEREAS, according to Section 38-126, safe parking “provides homeless individuals and families with a safe place to temporarily park overnight; the provisions set forth in this section enable safe parking programs to operate in the City subject to specific performance standards and permit requirements; and, these standards and requirements are intended to ensure that safe parking facilities will be compatible with surrounding uses and effective at facilitating participants’ transition to permanent housing”;

WHEREAS, under the current ordinance, the establishment of a safe parking program in any zoning district requires a use permit; all use permits are subject to a noticed, public hearing; in all residential zones, safe parking programs shall only be permitted on properties with the following classifications: Religious Assembly, Clubs and Lodges, and Cultural Institutions; and these restrictions do not apply to the City’s commercial zones;

WHEREAS, The City Council previously waived processing fees for safe parking use permits. Upon re-authorization of the ordinance, staff will continue to process the permits free of charge;

WHEREAS, a Notice of Determination for a Negative Declaration was filed in 2015 upon City Council adoption Ordinance 3522 according to CEQA requirements. The proposed extension is within the scope of the previous environmental analysis and no further analysis is required; and,

WHEREAS, on February 7, 2017, the City Council held a duly noticed public meeting to consider the ordinance amendment.

NOW THEREFORE, the Monterey City Council adopts the foregoing findings, and declares as follows:

SECTION 2: Monterey City Code, Chapter 38, Section 38-126(G) is hereby deleted.

SECTION 3: All ordinances and parts of ordinances in conflict herewith are hereby repealed.


SECTION 4: This ordinance shall be in full force and effect thirty (30) days from and after its final passage and adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 21st day of February, 2017, by the following vote:

AYES:	4	COUNCILMEMBERS:	Albert, Barrett, Smith, Roberson
NOES:	0	COUNCILMEMBERS:	None
ABSENT:	1	COUNCILMEMBERS:	Haffa
ABSTAIN:	0	COUNCILMEMBERS:	None

APPROVED:

ATTEST:

  
\_\_\_\_\_  
Mayor of said City

  
\_\_\_\_\_  
City Clerk thereof

