

ORDINANCE NO. 3676 C.S.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MONTEREY

AMENDING MONTEREY CITY CODE SECTION 19-103, THE SCHEDULE OF FEES AND SERVICES CHARGES, TO FULLY RECOVER THE COST OF ADMINISTERING THE CANNABIS BUSINESS ORDINANCE AND THE RENTAL INVENTORY ORDINANCE

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

SECTION 1:

WHEREAS, on June 2, 1992, the City adopted Ordinance 3100 to recover the percentage of costs reasonably borne in providing the products or services as established in the ordinance;

WHEREAS, the City adopted an ordinance approving amendments to the City Code and zoning ordinance to authorize and regulate a limited number and type of cannabis businesses;

WHEREAS, generally, the City's current policy is to recover 100% of costs for regulated businesses. For example, the policy for massage establishments set forth in Section 19-103 is for 100% cost recovery. The code also has an established policy to collect 100% of the cost of background checks completed by the Monterey Police Department. This code amendment is to recover 100% of the costs connected with the City's administration of the cannabis business ordinance;

WHEREAS, the City of Monterey determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) (CCR, Title 14, Chapter 3 ("CEQA Guidelines), Article 20, Section 15378). In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15378, this matter is not a project. Because the matter does not cause a direct or any reasonably foreseeable indirect physical change on or in the environment, this matter is not a project. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

NOW THEREFORE, the Monterey City Council declares as follows:

SECTION 2: The above recitals are true and correct and are hereby incorporated and adopted as findings of the City Council as if fully set forth herein.

SECTION 3: Monterey City Code, Chapter 19, Section 19-103(a)'s table of fees and service charges, (l.) is hereby amended to change the title to Community Development

Department Services and add the following in sequential order:

- I. Community Development Department Services:
- (30.) Cannabis Business Applications 100%
- (31.) Cannabis Business Zone Clearance 100%
- (32.) Cannabis Business Permit Modifications 100%
- (33.) Rental Inventory Ordinance 100%

SECTION 4: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 5: 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 5th day of December, 2023, by the following vote:

AYES:	4	COUNCILMEMBERS:	Barber, Garcia, Haffa, Williamson
NOES:	1	COUNCILMEMBERS:	Smith
ABSENT:	0	COUNCILMEMBERS:	None
ABSTAIN:	0	COUNCILMEMBERS:	None

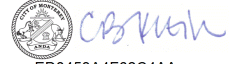
APPROVED:

ATTEST:

DocuSigned by:

1B38B5C4EE3E4F5...

 Mayor of said City

DocuSigned by:

ED8452A4F62C4AA...

 City Clerk thereof