

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