Zoning Amendment

Division of Planning, Engineering, and Environmental Compliance
City of Monterey

Introduction

Chapter 38 of the Monterey City Code is commonly referred to as the Zoning Ordinance. It's purpose is to establish specific zoning districts, as well as the development and land use standards that go along with each district. These districts are typically displayed on the Zoning Map. A person may apply to amend either the Zoning Map or the Zoning Ordinance at any time. Either action requires consideration by the Planning Commission and approval of the City Council. The Planning Commission or City Council may also initiate a Zoning Ordinance or Zoning Map amendment at any time.

Consideration

If your proposed Zoning Map amendment is site-specific, meaning that it only refers to your property, the application will be considered in light of the surrounding zoning district. The amendment should be an extension of an existing zoning district or a logical formation of a new district. The zoning of an individual property to accommodate one specific owner or one specific project is considered "spot zoning" and is prohibited.

Any amendment to the Zoning Ordinance will impact properties Citywide with the same zone designation. For example, an amendment to the Zoning Ordinance that allows a commercial land use in a district where it is not currently permitted would apply to that entire district, even if the intent of the amendment is to enable that use on one particular site. Changing the Zoning Ordinance to accommodate just one property is also considered spot zoning. As such, Zoning Ordinance amendments must be universally appropriate and in the entire City's best interest.

Findings

In its recommendation to the City Council, the Planning Commission must include a clear and substantive finding. This finding is as follows:

1. The proposed zoning regulation or zoning map amendment is consistent with the policies of the General Plan and the purpose of the Zoning Ordinance.

Fees[1]

Zoning Map or Zoning Ordinance Amendment	$2,000 deposit[2]

[1] Fees are current per City Council Resolution No. 09-19.
[2] Applicant is responsible for the full cost to process the application that may exceed the deposit amount.

SUBMITTAL CHECKLIST

Every application must include both an Application Form and Plans.
The specific requirements are described below.[3]

APPLICATION FORM

1. Project Application Form –
   - ❑ The wet signature of the owner is required.
   - ❑ This form is two-sided.
   - ❑ Also available at http://www.monterey.org/commdevelop/planning/projectapplic.pdf

PLANS

2. EXPLANATION OF REQUEST
   - ❑ Description of current and proposed uses of the property,
   - ❑ Explain the relationship of the proposed map or ordinance amendment to the General Plan and the effect on adjacent uses,
   - ❑ Explain any other purpose for the zoning map or ordinance amendment.

FOR ZONING MAP AMENDMENTS, ALSO INCLUDE THE FOLLOWING:

3. AREA MAP
   - ❑ Highlight the subject parcel,
   - ❑ Include all parcels within 1,000 ft. of the subject parcel,
   - ❑ Include all existing zoning designations for all included parcels,

4. SITE PLAN
   - ❑ Property lines & required yard setbacks,
   - ❑ Show the following site features:
   - ❑ All existing structures (house, garage, shed, gazebo, hot tub, patio cover, trellis, etc.),
   - ❑ Impervious surfaces (driveways, parking areas, walkways, or patios),
   - ❑ Adjacent off-site improvements (sidewalk, curb, gutter, or street trees),
   - ❑ All landscape areas, fences, retaining walls, and manufactured slopes,
   - ❑ On-site trees and large shrubs (over 6” in diameter as measured 4.5’ above the ground) and indicate their status (to be preserved, removed, or relocated). If property is vacant, show all trees over 2” in diameter as measured 4.5’ above the ground;
   - ❑ Existing and/or proposed floor elevation of the first floor and garage.

If you have any questions regarding the above submittal requirements or the Zoning Amendment process, please contact the Planning, Engineering, and Environmental Compliance Division (PEEC) at (831) 646-3885.

[3] At the discretion of the Chief of Planning, Engineering and Environmental Compliance, submittal of any submittal items may be waived if the project can be sufficiently described and considered without such information. Please inquire prior to submittal of an application.