

ORDINANCE NO. 2646 (N.C.S)

AN ORDINANCE AMENDING SECTIONS 37-30.200 (COMMERCIAL DISTRICTS), 37-30.240 (MIXED USE DISTRICTS), 37-30.430 (FUTURE GROWTH AREA), AND 37-50.300 (TEMPORARY USE OF LAND PERMITS) OF CHAPTER 37 OF THE SALINAS MUNICIPAL CODE (ZONING CODE) AND ADD SECTION 37-50.085 (EXTENDED STAY FOR HOTEL/MOTEL USE) TO CHANGE THE LANGUAGE CONCERNING EXTENDED STAY FOR HOTEL/MOTEL USES (ZCA 2021-003)

WHEREAS, on November 7, 2006, the Salinas City Council, adopted Ordinance Number 2463 replacing the existing Zoning Code; and

WHEREAS, on May 18, 2010, the Salinas City Council adopted Ordinance Number 2507 which amended various provisions of Chapter 37 of the Salinas Municipal Code (“Zoning Code”) to allow for general changes, language clarification, and minor corrections; and

WHEREAS, on April 19, 2016, the Salinas City Council adopted Ordinance Number 2569 which amended various provisions of Chapter 37 of the Salinas Municipal Code (“Zoning Code”) to allow for general changes, language clarification, and minor corrections; and

WHEREAS, on December 6, 2016, the Salinas City Council adopted Ordinance Number 2581 which amended Zoning Code Sections 37-10.250, 37-10.280, and 37-10.430 to modify definitions related to accessory dwelling units; Sections 37-30.020, 37-30.060, 37-30.110, 37-30.160, and 37-30.430 to allow accessory dwelling units as permitted uses; and 37-50.250 to address conformance with state law regarding accessory dwelling units; and

WHEREAS, on April 18, 2017, the Salinas City Council adopted Ordinance Number 2592 which amended various provisions of Chapter 37 of the Zoning Code to remove the bedroom mix requirement for residential development in the Central City Overlay and correct typographical errors; and

WHEREAS, on July 3, 2018, the Salinas City Council adopted Ordinance Number 2605 which amended Sections 37-40.320(b) and 37-10.250 and added Section 37-50.015 of Chapter 37 to establish an adaptive reuse ordinance that would allow for the reuse of existing non-residential buildings for the production of housing when located in the Central City Overlay Downtown Core Zoning District and within a building at least fifty years old, or located within a historically significant building in the City; and

WHEREAS, on September 18, 2018, the Salinas City Council adopted Ordinance Number 2607 which amended Sections 37-40.320(b), 37-10.250, 37-50.015 of Chapter 37 of the Salinas Municipal Code (Zoning) to expand the adaptive reuse ordinance to include the Central City Overlay District; and

WHEREAS, on March 19, 2019, the Salinas City Council adopted Ordinance Number 2617 which amended section 37-50.300 of Chapter 37 of the Salinas Municipal Code (Zoning) to permit temporary employee and interim housing in existing properties developed as a hotel or

motel; and

WHEREAS, on November 5, 2019, the Salinas City Council adopted the following ordinances: Ordinance Number 2623 which amends Chapter 37 of the Salinas Municipal Code (Zoning) regarding Small and Medium Project Employee Housing in the Residential Low (RL) and Residential Medium (RM) Zoning Districts, Ordinance Number 2624 which amends Chapter 37 of the Salinas Municipal Code (Zoning) to allow residential uses in the Public/Semipublic (PS) Zoning District subject to approval of a Conditional Use Permit, Ordinance Number 2625 which amends Chapter 37 of the Salinas Municipal Code (Zoning) to allow a Parcel Map Subdivision in the Future Growth Area (FGA) prior to Specific Plan Adoption, Ordinance Number 2626 which amends Chapter 37 of the Salinas Municipal Code (Zoning) to allow front yard setback replacement parking for Accessory Dwelling Units (ADU) pursuant to State of California Regulations, and Ordinance Number 2627 which amends Chapter 37 of the Salinas Municipal Code (Zoning) to allow a driveway width expansion subject to approval of a Conditional Use Permit; and

WHEREAS, on June 23, 2020, the Salinas City Council adopted Ordinance Number 2635 which amended Section 37-30.310, Table 37-30.130 to allow the renting of vehicles including, but not limited to, Automobiles, Light Trucks, and Vans as an accessory use to Vehicle Sales and Services Uses in the Industrial General (IG) Zoning District; and

WHEREAS, on January 19, 2021, the Salinas City Council adopted Ordinance Number 2642 which amended Section 37-50.300 of the Salinas Municipal Code (Zoning) to permit one renewal of Temporary Use of Land permits for temporary employee and interim housing in existing properties developed as a hotel or motel; and

WHEREAS, on June 8, 2021, the Salinas City Council adopted Ordinance Number 2644, which amended Section 37-50.100 of Chapter 37 to eliminate the maximum number of Home Occupations allowed per dwelling unit; and

WHEREAS, on June 16, 2021, at a duly noticed public hearing, the Salinas Planning Commission recommended that the City Council introduce and adopt Zoning Code Amendment 2021-003, which amended Sections 37-30.200 (Commercial Districts), 37-30.240 (Mixed Use Districts), 37-30.430 (Future Growth Area), and 37-50.300 (Temporary Use of Land Permits) of Chapter 37 of the Salinas Municipal Code (Zoning Code) and added Section 37-50.085 (Extended Stay for Hotel/Motel Use) to change the language concerning Extended Stay for Hotel/Motel uses; and

WHEREAS, on August 10, 2021, at a duly noticed public hearing, the City Council weighed the evidence, including the Staff Report which is on file at the Community Development Department together with the record of environmental review and hereby finds that the following amendment will not have the effect of reversing policies of the Salinas General Plan or other plans and policies previously adopted by the City Council and the City Council finds the project to be categorically exempt from the California Environmental Quality Act (CEQA), as follows:

Categorical Exemption:

1. ***The project has been found to be a Class 5 Categorical Exemption pursuant to Guidelines Section 15305 of the Guidelines to the California Environmental Quality Act (CEQA);***

The proposed Zoning Code Amendment applying to various provisions of the Zoning Code is categorically exempt from further environmental analysis per CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations). The proposed Zoning Code Amendment would not result in a significant environmental impact since it involves minor alterations to the Zoning Code.

2. ***The project is also categorically exempt from CEQA pursuant to Guidelines Section 15061(b)(3).***

This exemption is allowed when the activity, in this case the recommendation of adoption of the ordinance, does not have the potential for causing a significant effect on the environment. The proposed modification allows Extended Stay for Hotel/Motel uses for guests, employee or interim housing from a maximum of 28 days for up to ten (10) months with an administrative Conditional Use Permit (CUP) will not have a significant effect on the environment.

Zoning Code Amendment 2021-003:

1. ***The Amendment is consistent with the Salinas General Plan and other plans and policies adopted by the Salinas City Council.***

Land Use Element (LU)

The proposed Amendment would not result in uses inconsistent with any land use designation. The Amendment would be consistent the Land Use Element of the General Plan including Policy LU1.1, which states “achieve a balance of land uses to provide for a range of housing, jobs, libraries, and educational and recreational facilities that allow residents to live, work, shop, learn, and play in the community”. The changes to provisions related to Extended Stay for Hotel/Motel uses would allow for the temporary conversion of underutilized commercial space for up to ten (10) months with a Conditional Use Permit (CUP) to provide for the urgent need for employee and interim housing that would promote a greater mixture of uses.

The Amendment is further consistent with General Plan Policy LU-2.7 which encourages existing commercial and professional office developments to redevelop and reconfigure uses to incorporate new housing opportunities. The Amendment would allow the City to convert underutilized hotels/motels for critical housing. The City of Salinas is facing a housing crisis as documented in the 2019 Monterey County Point in Time Count, which identified 1,182 Salinas residents as homeless. The 2018 Farmworker Housing Study and Action Plan for the Salinas Valley and Pajaro Valley further underscores the housing need, determining that additional 45,560 units of farmworker housing are needed just to alleviate

critical overcrowding in farmworker households.

More specifically this Amendment helps foster Goal LU-3 which encourages “a diverse economy that allows for the continued economic success of the community, while not sacrificing its agricultural base” and Policy LU-3.8 which encourages “the production of housing that meets the needs of agricultural and other essential workers within the community”. Through this Amendment the City allows for an extended period of Extended Stay for Hotels/Motels from a maximum of 28 days to 10-months to meet the needs of our vital workforce without sacrificing the agricultural industry. Moreover, the need to allow for the conversion of hotels/motels is further expressed in the Farmworker Housing Study and Action Plan, which states “collaborate with other jurisdiction to develop a model ordinance for Extended Stays for Hotel/Motel uses for H-2A or other seasonal farmworkers”.

The proposed Amendment also contains provisions related to safe operations of the temporary use and regular inspections by the Fire Department and Code Enforcement. As a result, the Amendment advances Policy LU-4.2 by improving “the enforcement of regulations, such as zoning code and building codes to ensure existing and new development is constructed, occupied, and maintained to minimize potential fire and other hazards”.

Community Design Element (CD)

Similar to LU-4.2, Policy CD-2.4 addresses enforcement and property maintenance. Policy CD-2.4 states, “use developer incentives, enforcement of property maintenance and building codes, public-private partnerships and city-sponsored programs to encourage continued maintenance and rehabilitation of residential, commercial, public, and industrial properties”. The proposed Amendment provides for the requirement of a CUP for an Extended Stay for Hotel/Motel uses which requires compliance with the terms and conditions of the permit while ensuring proper maintenance, creating a balance between enforcement and incentives.

Housing Element (H)

The City and surrounding region face overcrowding as documented in the Housing Element, as approximately 17.5 percent of all households in Salinas are overcrowded and 5.1 percent are severely overcrowded. Not only is Salinas overcrowded, but much of the population is also considered cost burdened. About 25 percent of renters paid more than 50 percent of their income towards housing costs. Cost burden rates were also high among Salinas homeowners. Almost 49 percent of owner-households paid more than 30 percent of income towards housing costs, and 24 percent paid more than 50 percent of household income towards housing costs. This is why the Salinas metro area is one of seven in California that ranks in the top 10 of least affordable places in the United States, according to an analysis of 2016 census data by Harvard’s Joint Center for Housing Studies. By allowing for extended time period for Extended Stay for Hotel/Motel uses, which includes employee and interim housing, provides additional transitional housing opportunities for the homeless and assists Policy H-1.8: to “reduce municipal constraints to the production, maintenance, and development of decent, safe housing”. The proposed Amendment as

outlined above would continue to allow for collaborative partnerships between hotel/motel operators and non-profits or employers to foster Policy H-3.8: “Support collaborative partnerships of nonprofit organizations, affordable housing developers, major employers and market-rate housing developers to expand affordable housing opportunities for those working in the City of Salinas and surrounding areas”.

Economic Development (ED)

Consistent with the Land Use Element, the Economic Development Element reiterates the importance of the agriculture industry to the Salinas economy as outlined in Goal ED-EBG-1, which states, “maintain and enhance Salinas and the Salinas Valley as the premier center of agricultural productivity and technological advancement in the fresh food/produce sector”.

The significance of this industry is additionally highlighted in the Farmworker Housing Study that found an “estimated number of unique individual agricultural workers employed in the region during 2016 was 91,433”. Furthermore, “during the past decade, measured by comparing three-year annual averages of farm cash receipts (inflation-adjusted 2016 dollars), production of crop and animal commodities increased by 14%, to \$5.2 billion” in the region. The need for labor to serve these industries is quite acute and unfortunately due to a decline in the permanent labor force, agriculture has had to increasingly rely on the H-2A visa program. By 2017, the number of H-2A working in the Salinas-Pajaro Laborshed was more than 4,300, up from just 636 three years earlier.

Because the H-2A Program requires that employers provide housing combined with Salinas’ severe housing shortage, employers often turn to hotels/motels to provide housing. Without the use of these hotels/motels for housing, the agricultural workforce would significantly decline, thereby substantially decreasing productivity and negatively impacting the city’s overall economic prosperity. Based upon the same rationale outlined above, the proposed amendment promotes Goal ED-EBG-2 by ensuring that “existing businesses have access to the resources and services they need to prosper and expand in Salinas”. In this case, the critical resource is access to labor. This understanding is further expressed in Action NC-1.1.4, which calls for partnership with “universities, colleges, research institutions and public service agencies to facilitate innovative solutions for seasonal workforce housing”. The extended period for Extended Stay for Hotels/Motels use is one such innovative solution for workforce housing.

2. The Amendment will not have the effect of reversing the policies of the Salinas General Plan, any applicable Specific Plan, and other plans and policies adopted by the Salinas City Council.

The proposed Amendment will not reverse existing policies, because the proposed changes would be consistent with the General Plan. The proposed Amendment is in substantial conformance with the purposes, intent, and provisions of the General Plan. The Amendment would allow for the continued temporary use of underutilized hotels/motels for employee and interim housing per the terms and conditions of future Conditional Use Permits to facilitate multiple housing and economic development provisions in the General

Plan. The temporary conversion of underperforming hotels/motels with high vacancy rates and minimal economic activity to temporary employee or interim housing has resulted in new investment along commercial corridors such as John and Main Streets. Because the provisions of this Amendment include interim housing to address the needs of certain segments of the population that have difficulty accessing safe housing such as the homeless, the City can advance Policy H-3.5 by encouraging and supporting “the provision of housing and services for homeless individuals and families...through public-private partnerships, and through local collaborative efforts”. Finally, the proposed Amendment includes operational provisions to ensure compatibility with neighboring properties and through inspections minimizes potential hazards and promotes proper maintenance, which reinforce multiple policies in the General Plan.

3. *The Amendment would not create an isolated district unrelated to adjacent zoning districts.*

The proposed Amendment to Chapter 37 of the Salinas Municipal Code (Zoning) to extend the maximum length of stay from 29 days to 10-months of Extended Stay of Hotel/Motels uses will not create any additional zoning districts.

4. *The City has the capability to provide public utilities, roads, and services to serve the uses allowed by the proposed amendment.*

Salinas is an urbanized area and public infrastructure is presently in place to serve most uses. The proposed Amendment would not create the need for additional infrastructure as it involves a similar use of properties already developed as a motel or hotel. The City has the capability to provide public utilities, roads, and services for any future Extended Stay for Hotel/Motel uses.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF SALINAS AS FOLLOWS: (Revisions are shown in underline/~~striketrough~~ text)

SECTION 1. Amend Zoning Code Section 37-50.300 to read as follows:

Sec. 37-50.300. -Temporary use of land.

(e) Limitations—C, MU, NU (VC), PS, and I Districts.

~~(4) Temporary use includes the conversion of a hotel or motel for employee or interim housing as defined in Article I. General Provisions, under Division 2. Definitions. Employee housing for the purposes of Section 37-50.300 can also include agricultural workers. This temporary use shall be for a limited duration and as conditioned below:~~

- ~~i. **Master Leasing.** The hotel/motel operator should master lease the entire hotel/motel for a single purpose use such as employee housing for agricultural workers. If the hotel/motel operator only leases a portion of the hotel/motel for such a use, the security plan as part of the overall~~

- management plan shall be approved by the police department to ensure the compatibility of uses. The hotel/motel operator shall also register those rooms that will be subject to the transient occupancy tax (TOT) with the city. The lessor (hotel/motel property owner or operator) shall be responsible for compliance with the conditions outlined in *Section (e)(4)*.
- ii. ~~Compatibility.~~ Temporary employee and interim housing shall be operated in a manner that will not adversely affect adjoining properties or be detrimental to properties or improvements in the vicinity or to the general welfare of the city.
 - iii. ~~Outdoor Activity.~~ For the purpose of neighborhood compatibility, on-site outdoor activities except food and transportation services shall be conducted between the hours of 7:00 a.m. and 10:00 p.m. Outdoor activity may include recreational games and activities, musical performances, and such other similar activities as deemed appropriate by the city planner. The city planner may approve a management plan that allows for the loading and unloading of transportation and provision of food services beyond the hours of 7:00 a.m. to 10:00 p.m.
 - iv. ~~Performance Standards.~~ Temporary employee and interim housing shall be subject to *Section 37-80.180 Performance standards*.
 - v. ~~Property Management.~~ On-site, twenty-four hours per day property management shall be provided by the hotel/motel operator.
 - vi. ~~Emergency Contact.~~ Emergency contact information shall be posted on the exterior of the facility adjacent to the main entrance. Street address numbers shall be legibly posted on each building comprising the facility.
 - vii. ~~Parking.~~ Existing parking spaces shall be retained; Buses, trailers, and portable toilets shall not be parked overnight on site. Passenger vans may be parked overnight.
 - viii. ~~Temporary Storage/Structures.~~ Temporary storage and structures shall be prohibited unless otherwise approved through a separate Temporary Use of Land Permit (TULP).
 - ix. ~~Food Service.~~ One catering vehicle, not to exceed fifty feet, shall be permitted for the purposes of providing food service to those living onsite for a ninety minute, no more than three times per day. The catering vehicle shall be licensed with the health department. The city planner may approve a larger catering vehicle if a designated space can be provided on site that does not impede traffic and circulation, emergency access, pedestrian pathways and sidewalks, and/or ADA access.
 - x. ~~Transportation.~~ Buses, vans and similar vehicles shall be permitted to load and unload passengers on site with approval of the transportation plan, part of the overall management plan. A passenger loading area shall be included in the management plan and shall occur in an area that does not impede traffic and circulation, emergency access, pedestrian pathways and sidewalks, and/or ADA access.
 - xi. ~~Alcohol.~~ Consumption of alcohol shall be permitted indoors. Outdoor consumption of alcohol shall be prohibited.

- xii. ~~**Trash.** Trash and recycling cans shall be provided on site and emptied daily by the hotel/motel operator. Trash cans shall have adequate lids or other devices to prevent airborne trash. The operator also shall provide documentation that regular commercial trash service is being provided on site pursuant to city regulations.~~
- xiii. ~~**Maintenance.** The site shall be maintained and kept free of weeds, litter, and debris. All landscaped areas shall be maintained free of weeds, trash, and debris, and all plant material shall be continuously maintained in a healthy, growing condition. All exterior building and wall surfaces shall be regularly maintained, and any damage caused by weathering, vandalism, or other factors shall be repaired.~~
- xiv. ~~**Inspections.** The city shall conduct a joint community development/fire inspection prior to issuance of the TULP and two monitoring inspections after four and eight months if extended beyond the initial six month period.~~
- xv. ~~**Application.** In addition to the temporary use of land permit application, the applicant shall submit:~~
 - (aa) ~~Any California Housing and Community Development (HCD) approvals pursuant to the California Health and Safety Code § 17008 Health and Safety Code.~~
 - (bb) ~~Emergency contact information.~~
 - (cc) ~~Contact for property maintenance.~~
 - (dd) ~~A written management plan including a transportation plan, security plan, emergency evacuation plan, and neighborhood outreach plan.~~
 - (ee) ~~Any leases excluding any financial information such as rental rates.~~
- xvi. ~~**Application Fee.** The city shall charge a base application fee for processing a Temporary Use of Land Permit (TULP). If the city planner review time exceeds established for typical TULP processing, the applicant shall pay an additional fee based upon the hourly rate for actual time spent per the city's adopted fee schedule.~~
- xvii. ~~**Revocation of Permit.** The city planner shall reserve the right to revoke permits authorized by this section if the city planner determines that the permit holder has violated any of the provisions in this section. Revocations shall be conducted in accordance with [Section 37-60.1330: Revocation of permits.](#)~~
- xviii. ~~**Termination of Use.** The operator shall remove all evidence of the temporary use within two weeks after termination.~~

(g) **Duration.**

~~(15) Temporary hotel/motel conversion for employee and interim housing shall not exceed six (6) months unless extended for one additional six month period subject to *Section (h) Extensions*. The TULP shall take effect on the 29th day of occupancy of the hotel/motel. One renewal may be granted, after a break in use, and shall not exceed six (6) months unless extended for one additional six month period subject to *Section (h) Extensions*.~~

SECTION 2. Amend Zoning Code Section 37-30.200, Table 37-30.90, Footnote (25), shall be revised to reflect the following (in underline/strikethrough format):

Land Use	CO/R	CR	CT	CR	Additional Land Use Regulations
Hotels and Motels	NP	NP	SPR	SPR	(21)
Extended Stay:	NP	NP	CUP	NP	(21)(25)

(25) See Section 37-50.085 (*Extended Stay for Hotel/Motel Uses*) ~~Within the CT district, hotel and motel operators may allow occupant guest stays to exceed twenty eight days subject to approval of a CUP provided the following conditions are satisfied and contained in the CUP:~~

- (a) ~~At any given time, no more than twenty five percent of the total guest rooms shall exceed a twenty eight day stay.~~
- (b) ~~Operator shall require all guests as a condition of occupancy to execute an agreement in writing that the entire stay is a transient occupancy and all guests shall remit payment of TOT to the operator for each day of occupancy regardless of length of stay. The form of agreement shall be reviewed and approved by the city.~~
- (c) ~~Occupant guest stays shall not exceed one hundred eighty days either consecutive, continuous, or in total, in any calendar year.~~
- (d) ~~Transient occupancy tax (TOT) shall be paid for each occupied guest room regardless of length of stay.~~
- (e) ~~Operator shall submit an annual report no later than January 31 of each calendar year to the city of Salinas demonstrating compliance with the extended stay provisions for the previous calendar year.~~
- (f) ~~Off street parking: 1.25 off street parking spaces per guest room shall be provided plus one parking space per fifty square feet of banquet seating area plus parking for other uses and facilities as required by Section 37-50.360: Off street parking and loading spaces regulations.~~

SECTION 3. Amend Zoning Code Section 37-30.240, Table 37-30.110, Footnote (42), shall be revised to reflect the following (in underline/strikethrough format):

Land Use	MAF	MX	Additional Land Use Regulations
Hotels and Motels	SPR	CUP	(19)
Extended Stay:	CUP	SPR CUP	(19)(42)

~~(42) See Section 37-50.085 (*Extended Stay for Hotel/Motel Uses*) Within the CT district, hotel and motel operators may allow occupant guest stays to exceed twenty-eight days subject to approval of a CUP provided the following conditions are satisfied and contained in the CUP:~~

- ~~(a) At any given time, no more than twenty-five percent of the total guest rooms shall exceed a twenty-eight-day stay.~~
- ~~(b) Operator shall require all guests as a condition of occupancy to execute an agreement in writing that the entire stay is a transient occupancy and all guests shall remit payment of TOT to the operator for each day of occupancy regardless of length of stay. The form of agreement shall be reviewed and approved by the city.~~
- ~~(c) Occupant guest stays shall not exceed one hundred eighty days either consecutive, continuous, or in total, in any calendar year.~~
- ~~(d) Transient occupancy tax (TOT) shall be paid for each occupied guest room regardless of length of stay.~~
- ~~(e) Operator shall submit an annual report no later than January 31 of each calendar year to the city of Salinas demonstrating compliance with the extended stay provisions for the previous calendar year.~~
- ~~(f) Off-street parking: 1.25 off-street parking spaces per guest room shall be provided plus one parking space per fifty square feet of banquet seating area plus parking for other uses and facilities as required by Section 37-50.360: Off-street parking and loading spaces regulations.~~

SECTION 4. Amend Zoning Code Section 37-30.430, Table 37-30.190 shall be revised and Footnote 38 shall be added to reflect the following (in underline/strikethrough format):

Land Use	NE (Low)	NG-1 (Medium)	NG-2 (High)	VC	Additional Land Use Regulations
Hotels and Motels	NP	NP	NP	CUP	(7)
Extended Stay:	NP	NP	NP	CUP	(7)(38)

~~(38) See Section 37-50.085 (*Extended Stay for Hotel/Motel Uses*)~~

SECTION 5. Section 37-50.085, shall be added to the Zoning Code and reflect the following (in underline/strikethrough format):

“Sec. 37-50.085. – Extended Stay for Hotel/Motel Uses.

- (a) Purpose.** To provide additional options for the workforce, residents, and travelers in need of longer Hotel/Motel stays that will advance Salinas’ economic growth and relieve housing shortages. To ensure that Hotel/Motel, extended stay is operated in a manner that

provide the highest possible livability standards of design, environment, and security and achieve overall neighborhood compatibility.

- (b) **General.** Extended stay for an existing hotel/motel use may be permitted with an administrative Conditional Use Permit (CUP) if located in the Commercial Thoroughfare, Mixed Use, and Village Center Zoning Districts subject to all other requirements in this section. Extended stay for a proposed Hotel/Motel use shall be considered pursuant to the Zoning Code.

- (c) **Development Regulations.**

(1) **Extended Stay for Existing Hotel/Motel Uses.** Hotel/motel, extended stay uses for an existing hotel/motel use located in the Commercial Thoroughfare, Mixed Arterial Frontage, Mixed Use, and Village Center Zoning Districts shall require an administrative Conditional Use Permit issued pursuant to *Article VI, Division 8: Conditional use permits*, which may be subject to additional conditions to minimize impacts to adjacent properties.

(2) **Proposed Extended Stay.** Any proposed Hotel/Motel use with an extended stay shall be constructed subject to the development regulations and design standards of the applicable Zoning Code Section.

(3) **Maximum Stay.** Length of stay per individual shall not exceed ten (10) months within a three hundred sixty-five (365) day period.

(4) **Parking Requirements.** For new construction, 1.25 off-street parking spaces per guest room shall be provided plus one parking space per fifty square feet of banquet seating area. In addition, parking for other uses and facilities shall be provided as required by [Section 37-50.360: Off-street parking and loading spaces regulations](#).

For conversion of an existing hotel/motel to extended stay, with no additional guest rooms, existing parking spaces shall be retained, and no additional parking spaces required.

(5) **Floor Area.** A minimum one hundred fifty (150) square feet per room, including bathroom. Kitchen floor area is not included in the minimum calculation.

(6) **Bathroom.** Each room shall contain a bathroom including a toilet, sink, and shower or tub.

(7) **Common Area.** A minimum of five hundred (500) square feet of common area shall be provided, which could include a dining area.

(8) **Laundry Facilities.** Laundry facilities consisting of individual or common washer and dryer shall be provided. A minimum of one washer and one dryer shall be provided for every 25 rooms.

- (9) **Existing Structures.** Existing hotel/motel rooms may be converted to extended stay and exempted from the development standards contained in this section provided the following findings are established:
- (A) There is substantial compliance with the development standards.
 - (B) Alternative means of compliance with development standards are provided which contribute to livability.
 - (C) Strict compliance with development standards would render conversion of the hotel/motel to extended stay is impractical.
- (10) **Operating Standards.**
- (A) **Management Plan.** Hotel/motel, extended stay shall have a management plan included as a condition of the conditional use permit, which will ensure the presence of an on-site twenty-four (24) hour property management or an alternative which affords guests essentially the same level of service and security shall be provided by the hotel/motel operator.
 - (B) **Master Leasing.** The hotel/motel operator may master lease the entire hotel/motel, extended stay to a single user.

Master Leasing. The hotel/motel operator may lease the entire hotel/motel for a single purpose use such as employee housing for agricultural workers. If the hotel/motel operator only leases a portion of the hotel/motel for such a use, the Security Plan as part of the overall Management Plan shall be approved by the police department to ensure the compatibility of uses. The hotel/motel operator shall also register those rooms that will be subject to the transient occupancy tax (TOT) with the city. The lessor (hotel/motel property owner or operator) shall be responsible for compliance with the conditions outlined in Section (e)(4)(e).
 - (C) **Transient Occupancy Tax.** The hotel/motel operator shall be responsible for registering those rooms that will be subject to the transient occupancy tax (TOT) with the city.
 - (D) **Compatibility.** Hotel/motel, extended stay shall be operated in a manner that will not adversely affect adjoining properties or be detrimental to properties or improvements in the vicinity or to the general welfare of the City.
 - (E) **Outdoor Activity.** For the purpose of neighborhood compatibility, on-site outdoor activities except food and transportation services shall be conducted between the hours of 7:00 a.m. and 10:00 p.m. Outdoor activity may include recreational games and activities, musical performances, and such other similar activities as deemed appropriate by the city planner. The City Planner may approve a management plan that allows for the

- loading and unloading of transportation and provision of food services beyond the hours of 7:00 a.m. to 10:00 p.m. if findings can be made that it will not adversely impact the surrounding neighborhood.
- (F) **Performance Standards.** Hotel/motel, extended stay shall be subject to Section 37-80.180 Performance standards.
 - (G) **Emergency Contact.** Emergency contact information shall be posted on the exterior of the facility adjacent to the main entrance. Street address numbers shall be legibly posted on each building comprising the facility as required by the Fire Department.
 - (H) **Parking.** Existing parking spaces shall be retained; Buses, trailers, and portable toilets shall not be parked overnight on site. Passenger vans may be parked overnight.
 - (I) **Temporary Storage/Structure.** Temporary storage and structures shall be prohibited unless otherwise approved through a separate Temporary Use of Land Permit (TULP).
 - (J) **Food Service.** One catering vehicle, not to exceed fifty (50) feet, shall be permitted for the purposes of providing food service to those living onsite for ninety (90) minutes, no more than three (3) times per day. The catering vehicle shall be licensed with the health department. The city planner may approve a larger catering vehicle if a designated space can be provided on site that does not impede traffic and circulation, emergency access, pedestrian pathways and sidewalks, and/or ADA access.
 - (K) **Transportation.** Buses, vans and similar vehicles shall be permitted to load and unload passengers on site with approval of the transportation plan, part of the overall management plan. A passenger loading area shall be included in the management plan and shall occur in an area that does not impede traffic and circulation, emergency access, pedestrian pathways and sidewalks, and/or ADA access.
 - (L) **Alcohol.** Consumption of alcohol shall be permitted indoors. Outdoor consumption of alcohol shall be prohibited.
 - (M) **Trash.** Trash and recycling cans shall be provided on site and emptied daily by the hotel/motel operator. Trash cans shall have adequate lids or other devices to prevent airborne trash. The operator also shall provide documentation that regular commercial trash service is being provided on site pursuant to city regulations.
 - (N) **Maintenance.** The site shall be maintained and kept free of weeds, litter, and debris. All landscaped areas shall be maintained free of weeds, trash, and debris, and all plant material shall be continuously maintained in a healthy, growing condition. All exterior building and wall surfaces shall be regularly maintained, and any damage caused by weathering, vandalism, or other factors shall be repaired.
- (d) **Inspections.** The City shall conduct a joint Community Development/Fire Department inspection of the Hotel/Motel Extended Stay use prior to issuance of the CUP.
 - (e) **Application.** In addition to the CUP application, the applicant shall submit:
 - (1) Any California Housing and Community Development (HCD) approvals pursuant to the California Health and Safety Code § 17008 Health and Safety Code.

- (2) Emergency contact information.
- (3) Contact for property maintenance.
- (4) A written management plan including a transportation plan, security plan, emergency evacuation plan, and neighborhood outreach plan.
- (5) Any leases excluding any financial information such as rental rates.
- (f) **Administrative Fee.** The City may charge an administrative fee for monitoring compliance with the provisions of this section as determined from time to time by the city council.
- (g) **Application Fee.** The city shall charge a base application fee for processing a Conditional Use Permit (CUP) based upon the adopted fee schedule at the time of application submittal. If the City Planner review time exceeds established for typical CUP processing, the applicant shall pay an additional fee based upon the hourly rate for actual time spent per the City's adopted fee schedule.
- (h) **Revocation of Permit.** The City Planner shall reserve the right to revoke permits authorized by this Section if the City Planner determines that the facility is in violation of any of the provisions in this section. Revocations shall be conducted in accordance with [Section 37-60.1330: Revocation of permits.](#)
- (i) **Conflict Between Regulations.** Except as modified by this Section, development regulations applicable to the Zoning District shall apply. Where a conflict occurs between the base district regulations and this Section of the Code, this section shall prevail."

SECTION 6. Zoning Code Section 37-50.300(e), (g), and (h), shall be revised to reflect the following (in underline/strikethrough format):

(e) Limitations—C, MU, NU (VC), PS, and I Districts.

- (1) Temporary uses may include temporary tract offices, model homes, or building yards, parking lots, animal shows, Christmas tree sales, circuses and carnivals, commercial filming, personal property sales, religious assembly, outdoor retail sales, street fairs, swap meets, trade fairs and other temporary uses deemed appropriate by the city planner.
- (2) For the purposes of this section, the term "site" includes a shopping center.
- (3) For shopping centers, the number of temporary use of land permits allowable each calendar year shall be calculated for the entire shopping center irrespective of the number or ownership pattern of parcels.
- (4) ~~Temporary use includes the conversion of a hotel or motel for employee or interim housing as defined in Article I. General Provisions, under Division 2. Definitions. Employee housing for the purposes of [Section 37-50.300](#) can also include agricultural workers. This temporary use shall be for a limited duration and as conditioned below:~~
 - i. ~~**Master Leasing.** The hotel/motel operator should master lease the entire hotel/motel for a single purpose use such as employee housing for agricultural workers. If the hotel/motel operator only leases a portion of the hotel/motel for such a use, the security plan as part of the overall management plan shall be approved by the police department to ensure the compatibility of uses. The hotel/motel operator shall also register those rooms that will be subject to the transient occupancy tax (TOT) with the city. The lessor (hotel/motel property owner or operator) shall be responsible for compliance with the conditions outlined in *Section (e)(4).*~~

- ii. ~~Compatibility.~~ Temporary employee and interim housing shall be operated in a manner that will not adversely affect adjoining properties or be detrimental to properties or improvements in the vicinity or to the general welfare of the city.
- iii. ~~Outdoor Activity.~~ For the purpose of neighborhood compatibility, on-site outdoor activities except food and transportation services shall be conducted between the hours of 7:00 a.m. and 10:00 p.m. Outdoor activity may include recreational games and activities, musical performances, and such other similar activities as deemed appropriate by the city planner. The city planner may approve a management plan that allows for the loading and unloading of transportation and provision of food services beyond the hours of 7:00 a.m. to 10:00 p.m.
- iv. ~~Performance Standards.~~ Temporary employee and interim housing shall be subject to ~~Section 37-80.180 Performance standards.~~
- v. ~~Property Management.~~ On site, twenty four hours per day property management shall be provided by the hotel/motel operator.
- vi. ~~Emergency Contact.~~ Emergency contact information shall be posted on the exterior of the facility adjacent to the main entrance. Street address numbers shall be legibly posted on each building comprising the facility.
- vii. ~~Parking.~~ Existing parking spaces shall be retained; Buses, trailers, and portable toilets shall not be parked overnight on site. Passenger vans may be parked overnight.
- viii. ~~Temporary Storage/Structures.~~ Temporary storage and structures shall be prohibited unless otherwise approved through a separate Temporary Use of Land Permit (TULP).
- ix. ~~Food Service.~~ One catering vehicle, not to exceed fifty feet, shall be permitted for the purposes of providing food service to those living onsite for a ninety minute, no more than three times per day. The catering vehicle shall be licensed with the health department. The city planner may approve a larger catering vehicle if a designated space can be provided on site that does not impede traffic and circulation, emergency access, pedestrian pathways and sidewalks, and/or ADA access.
- x. ~~Transportation.~~ Buses, vans and similar vehicles shall be permitted to load and unload passengers on site with approval of the transportation plan, part of the overall management plan. A passenger loading area shall be included in the management plan and shall occur in an area that does not impede traffic and circulation, emergency access, pedestrian pathways and sidewalks, and/or ADA access.
- xi. ~~Alcohol.~~ Consumption of alcohol shall be permitted indoors. Outdoor consumption of alcohol shall be prohibited.
- xii. ~~Trash.~~ Trash and recycling cans shall be provided on site and emptied daily by the hotel/motel operator. Trash cans shall have adequate lids or other devices to prevent airborne trash. The operator also shall provide documentation that regular commercial trash service is being provided on site pursuant to city regulations.

- xiii. ~~**Maintenance.** The site shall be maintained and kept free of weeds, litter, and debris. All landscaped areas shall be maintained free of weeds, trash, and debris, and all plant material shall be continuously maintained in a healthy, growing condition. All exterior building and wall surfaces shall be regularly maintained, and any damage caused by weathering, vandalism, or other factors shall be repaired.~~
- xiv. ~~**Inspections.** The city shall conduct a joint community development/fire inspection prior to issuance of the TULP and two monitoring inspections after four and eight months if extended beyond the initial six month period.~~
- xv. ~~**Application.** In addition to the temporary use of land permit application, the applicant shall submit:

 - (aa) ~~Any California Housing and Community Development (HCD) approvals pursuant to the California Health and Safety Code § 17008 Health and Safety Code.~~
 - (bb) ~~Emergency contact information.~~
 - (cc) ~~Contact for property maintenance.~~
 - (dd) ~~A written management plan including a transportation plan, security plan, emergency evacuation plan, and neighborhood outreach plan.~~
 - (ee) ~~Any leases excluding any financial information such as rental rates.~~~~
- xvi. ~~**Application Fee.** The city shall charge a base application fee for processing a Temporary Use of Land Permit (TULP). If the city planner review time exceeds established for typical TULP processing, the applicant shall pay an additional fee based upon the hourly rate for actual time spent per the city's adopted fee schedule.~~
- xvii. ~~**Revocation of Permit.** The city planner shall reserve the right to revoke permits authorized by this section if the city planner determines that the permit holder has violated any of the provisions in this section. Revocations shall be conducted in accordance with [Section 37-60.1330: Revocation of permits.](#)~~
- xviii. ~~**Termination of Use.** The operator shall remove all evidence of the temporary use within two weeks after termination.~~

(g) Duration.

- (14) ~~Temporary hotel/motel conversion for employee and interim housing shall not exceed six (6) months unless extended for one additional six month period. Continuation of the use is prohibited beyond 1 year. The TULP shall take effect on the 29th day of occupancy of the hotel/motel.~~

(h) Extensions. If the City Planner makes a finding of special circumstances to warrant the extension, the City Planner may consider the extension of a temporary use for one additional increment of time. ~~Temporary hotel/motel conversion for employee and interim housing may be extended by one additional 6 month period if the hotel/motel operator has complied with all conditions outlined in Section (e)(4).~~

SECTION 7. This Ordinance shall take effect and be in force thirty days from and after its adoption.

SECTION 8. The Salinas City Clerk is hereby directed to cause the following summary of this ordinance to be published by one (1) insertion in The Monterey Herald, a newspaper of general circulation published and circulated in the City of Salinas and hereby designated for that purpose by the Salinas City Council:

“An Ordinance amending Sections 37-30.200 (Commercial Districts), 37-30.240 (Mixed Use Districts), 37-30.430 (Future Growth Area), and 37-50.300 (Temporary Use of Land Permits) of Chapter 37 of the Salinas Municipal Code (Zoning Code) and add Section 37-50.085 (Extended Stay for Hotel/Motel use) to change the language concerning Extended Stay for Hotel/Motel uses (ZCA 2021-003)”

SECTION 9. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Salinas City Council hereby declares that it would have passed this ordinance, and each and every section, subsection, clause and phrase thereof not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

This Ordinance was introduced and read on August 10, 2021 and passed and adopted on August 10, 2021, by the following vote:

PASSED AND ADOPTED this 10th day of August 2021, by the following vote:

AYES: Councilmembers: Barrera, Cromeenes, González, Osornio, Rocha, McShane and Mayor Craig

NOES: None

ABSENT: None


ABSTAIN: None

APPROVED:

DocuSigned by:

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Kimbley Craig, Mayor

ATTEST:

DocuSigned by:

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Patricia M. Barajas, City Clerk

APPROVED AS TO FORM:

DocuSigned by:

Christopher A. Callihan

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Christopher A. Callihan, City Attorney