

## MONTEREY COUNTY BOARD OF SUPERVISORS

**MEETING:** October 16, 2007

**AGENDA NO.:** CONSENT

**SUBJECT:** Adopt resolution issuing report pursuant to Government Code 65858(d) describing the measures taken to alleviate the conditions that led to the adoption and extension of Interim Ordinance No. 5080 applying certain uniform restrictions and regulations in the processing and approval of discretionary development entitlements and precluding the processing and approval of new applications for standard subdivisions and minor subdivisions requiring a general plan amendment or zoning amendment, with limited exceptions, pending the County's consideration of further amendments to the 2006 General Plan following the June 2007 election.

**DEPARTMENT:** Resource Management Agency-Planning Department

### **RECOMMENDATION:**

It is recommended that the Board of Supervisors adopt the attached Resolution issuing its report pursuant to Government Code 65858(d) describing measures taken by the County to alleviate conditions that led to the original adoption and extension of Interim Ordinance No. 5080

### **SUMMARY:**

Pursuant to Government Code Section 65858, the Board of Supervisors is required to issue a report, as contained in the attached Resolution, prior to the expiration or extension of Interim Ordinance No. 5080. Adoption of the attached resolution issuing the Board's report would comply with the statutory requirement.

### **DISCUSSION:**

On July 17, 2007, the Board of Supervisors adopted Interim Ordinance No. 5080 ("Ordinance") applying certain uniform restrictions and regulations in the processing and approval of discretionary development entitlements and precluding the processing and approval of new applications for standard subdivisions and minor subdivisions requiring a general plan amendment or zoning amendment, with limited exceptions, pending the County's consideration of further amendments to the 2006 General Plan following the June 2007 election.. On August 28, 2007, the Board extended all relevant portions of the ordinance until October 31, 2007 with one modification related to applications for subdivisions within adopted redevelopment areas. A public hearing has been noticed for October 23, 2007 for the Board to consider a second extension of Interim Ordinance No. 5080 to October 31, 2008 or until an updated General Plan is adopted and in effect, whichever occurs first. Government Code 65858(d) requires that ten days prior to the expiration or extension of an interim ordinance, the Board must issue a report describing measures taken to alleviate conditions which led to the adoption of the ordinance.

The attached resolution issues the report and describes the measures taken by the County, including the following: (1) with certain exceptions provided under the Ordinance as amended, the County has not accepted or processed applications for standard subdivisions, minor subdivisions, or other discretionary entitlements that require a general plan or zoning amendment, while continuing to process those applications allowed under the Ordinance in accordance with the uniform restrictions and regulations of the Ordinance as amended; (2) the Planning Commission held a duly noticed public hearing on recommendations for a draft General Plan Update ("GPU5") and forwarded those recommendations to the Board of Supervisors; and (3) the Board of Supervisors

has held a duly noticed public hearing on September 25, 2007 and is scheduled to continue the hearing on October 16, 2007 to consider recommendations for a draft GPU5.

**OTHER AGENCY INVOLVEMENT:**

County Counsel approved the resolution as to form.

**FISCAL IMPACT:**

Adoption of the resolution will have no impact on the General fund.

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Mike Novo, Interim Director, RMA—Planning Department

Date: October \_\_\_\_, 2007

cc: Charles J. McKee, County Counsel; Dr. Lew Bauman, CAO; Wayne Tanda, Director, Resources Management Agency (RMA);  
Ron Lundquist, Director of Public Works; Curtis Weeks, General Manager, MCWRA; Allen Stroh, Director, Environmental Health; Alana Knaster, Assistant Director, RMA; Carl Holm, RMA; Wendy Strimling, Deputy County Counsel; Project File.

**Attachment:** Exhibit "A" Resolution Issuing Report Pursuant to Government Code Section 65858(d)

