

*Before the Board of Supervisors in and for the
County of Monterey, State of California*

**Resolution No. _____ Issuing Report Pursuant to)
Government Code Section 65858(d) Regarding)
Measures Taken to Alleviate Condition that)
Led to Enactment of Interim Ordinance No. 5080)**

The Board of Supervisors adopts this resolution with reference to the following facts and circumstances:

1. On July 17, 2007, the Board of Supervisors adopted Interim Ordinance No. 5080 (“Ordinance”) applying certain uniform interim restrictions and regulations in the processing and approval of discretionary development entitlements and precluding the processing and approval of new applications for standard subdivisions, minor subdivisions, and other discretionary entitlements that require a general plan or zoning amendment, with limited exceptions, pending the County’s study and consideration of further amendments to the 2006 General Plan following the June 2007 election on competing general plan ballot measures.
2. On August 28, 2007, the Board of Supervisors adopted Ordinance No. 5085 extending all relevant portions of Ordinance No. 5080 to October 31, 2007 with one modification to allow the processing and approval of applications for standard subdivisions within adopted redevelopment areas that do not require general plan or zoning amendments.
3. Government Code Section 65858(d) requires that ten days prior to the expiration of an interim ordinance or any extension thereof, the Board shall issue a written report describing the measures taken to alleviate the condition which led to the adoption of the interim ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Monterey County Board of Supervisors issues this report describing the following the measures that have been taken to alleviate the condition which led to the adoption of Interim Ordinance No. 5080, as modified and extended by Ordinance No. 5085.

1. In order to avoid the approval of discretionary development entitlements and standard subdivisions that may be inconsistent with the contemplated amendments to the 2006 General Plan and to provide certainty and uniformity in the processing of applications for entitlements that have been filed or deemed complete prior to the effective date of the Ordinance, the County has taken the following measures:
 - a. With certain exceptions provided under the Ordinance, the County has not accepted or processed new applications for standard

subdivisions, minor subdivisions, or other discretionary entitlements that require a general plan or zoning amendment; and

- b. The County continues to process those applications for such entitlements allowed under the Ordinance in accordance with the uniform restrictions and regulations contained in Sections 3 and 4 of the Ordinance.
- 2. On September 12, 2007, the County Planning Commission held a duly noticed public hearing to receive a report from an ad hoc committee of the Planning Commission regarding recommendations for a draft General Plan Update 5 (“GPU5”), and the Planning Commission forwarded recommendations for a draft GPU5 to the Board of Supervisors for its consideration.
- 3. On September 18, 2007, the Board of Supervisors received a report regarding the Planning Commission’s forwarded recommendations and received public testimony.
- 4. On September 25, 2007, the Board of Supervisors held a duly noticed public hearing to consider the Planning Commission’s recommendations for a draft GPU5, directed staff to return on October 16 with further information and to proceed with preparing the appropriate environmental review under the California Environmental Quality Act, and continued the hearing to October 16, 2007 for further consideration of the recommendations for a draft GPU5.
- 5. A public hearing has been noticed for October 23, 2007 for the Board to consider adoption of an ordinance extending Interim Ordinance No. 5080, as previously modified, to October 31, 2008 or until an updated General Plan is adopted and in effect, whichever occurs first.

PASSED AND ADOPTED this ____ day of October 2007 by the following vote:

AYES:

NOES:

ABSENT:

DAVID POTTER
Chair, Board of Supervisors

ATTEST:

LEW C. BAUMAN
Clerk of the Board

By _____
Deputy

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