

Attachment E  
Resolution of Intention No. 12-050  
Board of Supervisors  
February 28, 2012

REF120032

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

Resolution No. 12-050

- Resolution of the Monterey County Board of Supervisors to: )
  - a. Consider report from staff on proposed approach for processing "inactive" applications for land use entitlements; and )
  - b. Adopt a Resolution of Intention to initiate amendments to text provisions of Titles 19 (both Coastal and Inland Subdivision Ordinances), Title 20 (Coastal Zoning Ordinance) and Title 21 (Inland Zoning Ordinance) of the Monterey County Code to establish procedures for processing "inactive" applications for land use entitlements. )
- (Inactive Applications/REF100058) )

RECITALS

WHEREAS, Supervisor Parker requested that staff examine options for adopting an ordinance which would establish a deadline for action on planning permit applications and provide information to the Board regarding the implications of such an ordinance.

WHEREAS, it was identified that the retention of backlog of projects that are not moving forward has impacts by creating workload without revenue in the year in which the work is being done. This workload burden on land use departments' staff impacts other, more current projects. Furthermore, retention of inactive applications also has the potential of analyses and reports prepared for the application growing stale due to change in circumstances.

WHEREAS, on February 15, 2011, Planning staff presented a report to the Board that included a number of recommendations. The Board directed staff to further research the matter and report back. A memorandum was distributed to the Board members on May 30, 2011 which outlined the analysis and additional options.

WHEREAS, on November 15, 2011, staff presented a report to the Board that summarized the research and options and described the proposed stakeholder public outreach meetings. At that time, the Board identified the Permit Streamline Taskforce (Taskforce), generally comprised of representatives from the development industry, as the appropriate stakeholder group to discuss the development of an ordinance addressing inactive applications and directed staff to conduct the stakeholder meetings and report back to the Board by February of 2012.

WHEREAS, on January 6<sup>th</sup> and February 3<sup>rd</sup>, 2012, staff met with the Taskforce. On February 3<sup>rd</sup>, staff presented a preliminary draft ordinance outlining in concept an approach for handling inactive applications. The Task Force considered the approach and found it acceptable with minor changes.

WHEREAS, on February 28, 2012, staff presented a report to the Board that summarized the research, discussion with the Permit Streamlining Taskforce and introduced the conceptual approach for development of the inactive application ordinance. Staff requested the Board accept the concept for drafting inactive application ordinances and adopt a Resolution of Intention to initiate amendments to text provisions of Titles 19 (both Coastal and Inland Subdivision Ordinances), Title 20 (Coastal Zoning Ordinance) and Title 21 (Inland Zoning Ordinance) for the purpose of establishing procedures for the processing "inactive" applications for land use entitlements.

WHEREAS, the Board endorses the approach generally outlined in Exhibit 1 to the February 28, 2012 Staff Report.

WHEREAS, pursuant to Statutory Exemption Section 15262 (Feasibility and Planning Studies), this project is exempt from CEQA because the project involves the feasibility and/or planning analysis for possible future actions (i.e. direction to staff to initiate amendments to Titles 19, 20 and 21 to establish procedures for inactive applications) which the Board has not approved or adopted.

#### DECISION

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors does hereby:

- a. Received the report from staff on proposed approach for processing "inactive" applications for land use entitlements; and
- b. Adopted Resolution of Intention 12-050 to initiate amendments to text provisions of Titles 19 (both Coastal and Inland Subdivision Ordinances), Title 20 (Coastal Zoning Ordinance) and Title 21 (Inland Zoning Ordinance) of the Monterey County Code to establish procedures for processing "inactive" applications for land use entitlements under these Titles.

PASSED AND ADOPTED on this 28<sup>th</sup> day of February, 2012, upon motion of Supervisor Parker, seconded by Supervisor Salinas, and carried by those members present, by the following vote, to-wit:

AYES: Supervisors Armenta, Calcagno, Salinas, and Parker

NOES: None

ABSENT: Supervisor Potter

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 76 for the meeting on February 28, 2012.

Dated: February 28, 2012

Gail T. Borkowski, Clerk of the Board of Supervisors  
County of Monterey, State of California

By Denise Hancock  
Deputy