

ATTACHMENT A- DISCUSSION

Background:

On February 28, 2012, the Monterey County Board of Supervisors adopted a Resolution of Intention (Resolution No. 12-050) to initiate amendments to text provisions of Titles 19 (both coastal and inland subdivision ordinances), Title 20 (coastal zoning) and Title 21 (non-coastal zoning) to put in place procedures by means of an ordinance that would establish a deadline for acting on inactive applications. The Board recognized that indefinite retention of inactive applications creates several problems, including: creation of a backlog of applications whose status is uncertain; diversion of resources away from processing active applications; technical reports and information becoming outdated prior to the application being heard; inefficiencies in processing the application; and excess costs not covered by the application fee.

As of July 1, 2013, the Monterey County Resource Management Agency-Planning Department has 2,925 land use discretionary project applications which had no activity for at least 6 months, but which applicants had not withdrawn. Although these applications have had no activity for 6 months, the actual inactivity timeframe vary from application to application, some being inactive for over 15 years.

This ordinance (**Attachment B to the staff report**) is intended to establish consistent and fair procedures to enable the County to make a final disposition of inactive applications while providing notification and opportunity to applicants to take the necessary steps to keep their applications active if they so choose.

Staff has had the following outreach to solicit input on the drafting of this ordinance:

- Streamlining Task Force, February 2012
- Planning Commission Workshop, June 27, 2012
- Planning Commission Hearing to consider and make a recommendation on the draft ordinance, February 26, 2014

Environmental Review:

The proposed draft ordinances are not a project under the California Environmental Quality Act (CEQA) per CEQA Guidelines Sections 15060 (c)(3) and 15378 (b)(5) because the ordinances are an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment. The ordinance includes this finding.

Conclusion:

It is recommended that the Board of Supervisors:

Adopt the ordinance amending Title 19 (Non-coastal subdivision ordinance) and Title 21 (Non-coastal zoning ordinance) of the Monterey County Code to establish notification and hearing procedures to address inactive land use discretionary permit applications in the non-coastal unincorporated area of Monterey County, upon finding that the ordinance is not a project under CEQA.