

## MONTEREY COUNTY BOARD OF SUPERVISORS

<b>MEETING:</b> January 11, 2011 - Consent	<b>AGENDA NO:</b> 54
<b>SUBJECT:</b> Adopt a resolution to issue a report pursuant to Government Code Section 65858(d) describing the measures taken to alleviate the condition that led to adoption of Interim Ordinance No. 5170 establishing a process to determine 2010 General Plan consistency for discretionary and ministerial permits, pending the adoption of applicable programs and ordinances to implement the 2010 Monterey County General Plan. (General Plan Interim Ordinance – REF100050/County of Monterey)	
<b>DEPARTMENT:</b> RMA – Planning Department	

### **RECOMMENDATION:**

It is recommended that the Board of Supervisors:

Adopt a resolution to issue a report pursuant to Government Code Section 65858(d) describing the measures taken to alleviate the condition that led to adoption of Interim Ordinance No. 5170 establishing a process to determine 2010 General Plan consistency for discretionary and ministerial permits, pending the adoption of applicable programs and ordinances to implement the 2010 Monterey County General Plan.

### **SUMMARY:**

Pursuant to Government Code Section 65858(d), the Board of Supervisors is required to issue a report, as contained in the attached resolution, ten days prior to the expiration of Interim Ordinance No. 5170. The Interim Ordinance will expire on January 28, 2011. Adoption of the attached resolution by the Board would comply with the statutory requirement.

### **DISCUSSION:**

On October 26, 2010, the Board of Supervisors adopted the 2010 Monterey County General Plan. The 2010 Monterey County General Plan took effect on November 27, 2010. On December 14, 2010 the Board of Supervisors adopted Interim Ordinance 5170 as an urgency measure that establishes a General Plan consistency determination process for specified discretionary and ministerial permits. The Ordinance will expire January 28, 2011 unless extended by action of the Board of Supervisors. A General Plan Policy Checklist has been prepared (Attachment A) and will be used during the review of development applications for ministerial (e.g. building and grading permits) or discretionary permits. Additionally, a three year work program is being prepared that will establish bench marks to complete the preparation and implementation of the required programs and ordinances. The whole program will be before the Board of Supervisors on January 25, 2011. Additionally, on January 25, 2011, the Board is scheduled to hold a public hearing to consider an extension of the interim ordinance for a period of 10 months, 15 days.

Government Code Section 65858 (d) requires that, ten days prior to the expiration of an interim ordinance, the Board must issue a written report describing the measures taken to alleviate the conditions which led to the adoption of the interim ordinance. The attached resolution issues the report and describes the measure taken by the County. The measures consist of the development and implementation of the General Plan Policy Checklist for specified ministerial and discretionary permits and the preparation of the General Plan Work Program to provide permanent implementing programs and ordinances.

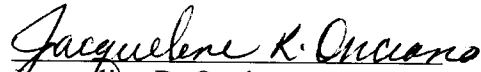
**OTHER AGENCY INVOLVEMENT:**

County Counsel has been consulted in the preparation of this report.

**FINANCING:**

There is no financial impact associated with the action at this time. Financing for the adoption of this resolution has been included in the FY 2010-11 budget for the RMA – Planning Department and County Counsel.

Prepared by:



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January 3, 2011

Approved by:



Mike Novo, Director  
RMA – Planning Department

cc: Front Counter Copy; Board of Supervisor's (16); County Counsel; RMA – Public Works; Water Resources Agency; Environmental Health Bureau; Parks Department; RMA – Redevelopment and Housing Office; Agricultural Commissioner; Carl Holm, Assistant Director, RMA – Planning Department; John Ford, Planning Services Manager, RMA Planning Department; Jacqueline R. Onciano, Planning Services Manager, RMA – Planning Department; Project File No. REF100050; RMA – Planning Department Website; Interested Parties

Attachments: Exhibit A - Board Resolution

Attachment A - General Plan Policy Consistency Checklist

Attachment B - General Plan Work Program, December 14, 2010  
Board Report