



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #:	ORD 14-007	Name:	Inactive Discretionary Applications
Type:	Ordinance	Status:	Passed
File created:	3/21/2014	In control:	Board of Supervisors
On agenda:	4/1/2014	Final action:	4/1/2014

Title: Public hearing to consider:
Adoption of an 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.
(Inactive Discretionary Application Ordinance - REF100058, County-wide, Non-coastal areas; Exempt from CEQA.)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment A - Discussion, 2. Attachment B - Inactive Application Draft Ordinance, 3. Attachment C - PC Resolution No. 14-014, 4. Attachment D - Inactive Application Flowchart, 5. Completed Board Order & Ordinance

Date	Ver.	Action By	Action	Result
4/1/2014	1	Board of Supervisors	adopted	Pass

Public hearing to consider:
Adoption of an 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.
(Inactive Discretionary Application Ordinance - REF100058, County-wide, Non-coastal areas; Exempt from CEQA.)

PROJECT INFORMATION:

- Planning File Number:** REF100058
- Project Name:** Inactive Discretionary Application Ordinance (Non-coastal)
- Plan Area:** County-wide, Non-coastal areas
- CEQA Action:** Exempt per CEQA Guidelines sections 15060 (c)(3) and 15378(b)(5)

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Adopt an ordinance (Attachment B) 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.

SUMMARY:

This ordinance (Attachment B) is intended to establish consistent and fair procedures to enable the County to make a final disposition of inactive applications for discretionary land use entitlements while providing notification and opportunity to applicants to take the necessary steps to keep their applications active if they so choose. A flow chart of the process is shown in Attachment D. The proposed ordinance includes amendments to only the non-coastal subdivision and zoning ordinances (Title 19 (non-coastal subdivision ordinance) and Title 21 (non-coastal zoning ordinance)). On February 26, 2014, the Monterey Planning Commission recommended that the Board of Supervisors adopt the Inactive Application Ordinance, with certain revisions (see Attachment C). The revisions recommended by the Planning Commission are incorporated into the draft ordinance that is before the Board of Supervisors. Staff intends to process a similar ordinance for the coastal zone in the near future.

DISCUSSION:

Detailed discussion is provided in **Attachment A**.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

- RMA-Public Works Department
- Water Resources Agency
- Fire Department

The proposed project was reviewed by Jacqueline R. Onciano on March 14, 2014. The Monterey County Planning Commission recommended approval of the ordinance by a vote of 9-0, 1 Absent (**Attachment C**). County Counsel has approved the ordinance as to legal form.

FINANCING:

Funding for staff time associated with this project is included in the FY13-14 Adopted Budget for the Planning Department.

Prepared by: Nadia Amador, Associate Planner ext. 5114

Approved by: Mike Novo, Director, RMA-Planning, ext. 5192

Benny Young, Director Resource Management Agency

This report was prepared with assistance by Nadia Amador and reviewed by Jacqueline R. Onciano.

cc: Front Counter Copy; All LUACs; Fire Protection District Representative; RMA-Public Works Department; Parks Department; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; Jacqueline R. Onciano, Planning Services Manager; Nadia Amador, Project Planner; Streamlining Task Force (Ernie Mill); John S. Bridges, Fenton & Keller; Joel Panzer, Maureen Wruck & Associates; Christine Williams; Margaret Robbins; Dale Ellis, Lombardo & Associates; The Open Monterey Project; LandWatch; Project File REF100058.

The following attachments on file with the Clerk of the Board:

- Attachment A Discussion
- Attachment B Inactive Application Draft Ordinance (Non-coastal-REF100058)
- Attachment C Planning Commission Resolution No. 14-014, February 26, 2014

Attachment D Inactive Application Flowchart