Exhibit B

This page intentionally left blank.

MONTEREY COUNTY
RESOURCE MANAGEMENT AGENCY
Carl P. Holm, AICP, Director

LAND USE & COMMUNITY DEVELOPMENT | PUBLIC WORKS & FACILITIES | PARKS

1441 Schilling Place, South 2nd Floor (831)755-4800

Salinas, California 93901-4527 www.co.monterey.ca.us/rma

MEMORANDUM

Date: July 19, 2017

To: Board of Supervisors, Planning Commissioners, Resource Management Agency Staff, and Members of the Public

From: Carl P. Holm, AICP, Resource Management Agency (RMA) Director

Subject: Supplemental Procedures for Administrative Interpretations

Effective July 19, 2017, the procedures set forth in this memorandum shall be followed for all administrative interpretations issued by the Chief of Planning pursuant to Chapter 21.82 (inland zoning ordinance), Chapter 20.82 (coastal zoning ordinance), and Chapter 19.17 (inland subdivision ordinance) of the Monterey County Code.[1] The Resource Management Agency (RMA) Director and RMA Deputy Director of Land Use and Community Development provide direction and oversight to the Chief of Planning. These procedures augment the procedures set forth in the referenced chapters of the County Code. These procedures are issued pursuant to order of the Board of Supervisors on July 18, 2017. These procedures shall remain in place until the Board of Supervisors adopts an ordinance or resolution changing these procedures.

The following procedures shall apply in addition to the procedures for administrative interpretations set forth in Chapters 19.17 (inland subdivision), 20.82 (coastal zoning), and 21.82 (inland zoning):

- Upon receiving a written request for an administrative interpretation pursuant to Chapters 19.17 (inland), 20.82, or 21.82 of the Monterey County Code, the Chief of Planning will prepare a written Administrative Interpretation ("Administrative Interpretation") pursuant to and in accordance with Chapter 19.17, Chapter 20.82, or Chapter 21.82, as applicable.

- Upon completion of an Administrative Interpretation, the Chief of Planning shall report the Administrative Interpretation at the next regular meeting of the Planning Commission after allowing for the ten-day notice required by these procedures. The Administrative Interpretation shall be listed on the agenda under "Department Report," and a copy of the Administrative Interpretation shall be included in the agenda packet.

---

[1] Pursuant to Chapter 2.30 of the Monterey County Code, references in the Monterey County Code to the Director of Planning or the Planning Director shall be understood to refer to the Chief of Planning. The term "Chief of Planning" as used herein includes his or her designee.

- At the same time as the Planning Commission agenda is posted, or upon distribution of the agenda to all, or to a majority of all, of the Planning Commission, the Chief of Planning shall cause the Administrative Interpretation to be posted on the RMA website, in a location on the website that will house Administrative Interpretations.

- At least ten days prior to the report of the Administrative Interpretation to the Planning Commission, the Chief of Planning shall mail or email notice of the Administrative Interpretation to: 1) the person or entity who requested the interpretation; 2) owners of real property as shown on the latest equalized assessment roll within 300 feet of the real property that is the subject of the Administrative Interpretation, if the Administrative Interpretation pertains to a specific property; 3) any person or entity who has submitted a written request to RMA for notice of any land use application pertaining to that property; and 4) any person or entity who has submitted a written request to RMA for notice of Administrative Interpretations. Provision of this notice shall be in addition to provision of the Administrative Interpretation to the person requesting the interpretation pursuant to Chapters 19.17 (inland), 20.82, or 21.82 of the Monterey County Code, as applicable. The notice shall include the date of the Planning Commission meeting at which the Administrative Interpretation will be reported to the Commission.

- The Administrative Interpretation shall be listed on the Planning Commission agenda as a report only. If the Planning Commission desires to deliberate regarding the Administrative Interpretation, the Commission may direct staff to place the matter on a future agenda of the Commission. Such deliberation does not substitute for an appeal of the Chief of Planning's Administrative Interpretation. However, any changes to the Administrative Interpretation made by the Planning Commission will become the operative Interpretation.

- The period to appeal an Administrative Interpretation shall be fourteen (14) days from the meeting date at which the Administrative Interpretation is reported to the Planning Commission. This requirement shall be stated in the Administrative Interpretation.

- The Administrative Interpretation shall not become effective until conclusion of the appeal period or conclusion of the appeal process, if appealed. The Administrative Interpretation will include language that specifies it does not become effective until conclusion of the appeal period or upon conclusion of the appeal process, if appealed.

Per the Board's July 18, 2017 direction, staff will return to the Board of Supervisors on August 29, 2017 to present for the Board's consideration an application fee to cover the estimated reasonable cost of processing requests for Administrative Interpretation, including the cost of notification under these procedures. If approved, that fee will go into effect 60 days following adoption. Also, staff will return to the Board of Supervisors within 120 days of July 18, 2017 with an ordinance for the Board's consideration to amend the applicable chapters of the County Code to incorporate the procedures set forth in this memorandum. Adoption of an ordinance would supersede this Interpretation upon its effective date.