

Resolution # 02-3

Resolution Certifying that the)
Amendments to the General Plan of)
the County of Monterey are Consistent)
with the Fort Ord Base Reuse Plan.)

THIS RESOLUTION is adopted with reference to the following facts and circumstances:

- A. On June 13, 1997, the Fort Ord Reuse Authority ("FORA") adopted the Final Base Reuse Plan prepared in accordance with the requirements of Government Code Section 67675, et seq.
- B. Section 67675, et seq., of the Government Code, provide that, after FORA has adopted a reuse plan, each county or city within the territory occupied by Fort Ord is required to submit to FORA its general plan or amended general plan and zoning ordinances satisfying the requirements of said statutes.
- C. By Resolution No. 98-1, the Authority Board of FORA adopted policies and procedures that address how the Authority Board will implement the provisions of the Government Code referenced in Paragraph B.
- D. The County of Monterey is a member agency of FORA and has property that falls within the territory occupied by Fort Ord and falls within the jurisdiction of FORA.
- E. After conducting a duly noticed public meeting on November 20, 2001, the Board of Supervisors of the County of Monterey (the "County"), by Resolution #01-457, approved an amendment to the County's General Plan which provided land use designations, and which adopted policies and programs, for all of the territory of the County within the jurisdiction of FORA. A copy of the amendment to the County's General Plan is attached as Exhibit A and made a part of this Resolution.
- F. The County made findings that the Fort Ord Base Reuse Plan Final Environmental Impact Report, certified by the Board on June 13, 1997, and the Environmental Impact Report Addendum prepared by the County for the amendments to its General Plan ("Amendments"), adequately studied the potential environmental impacts of the Amendments and were prepared in compliance with the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines. The County adopted and imposed mitigation measures and a mitigation monitoring program for identified potential significant environmental impacts; with respect to environmental impacts that could not be reduced to less than significant level, the County determined that overriding considerations justified the approval of the Amendments.
- G. The County made findings that the Amendments are consistent with the Fort Ord Base Reuse Plan, are consistent with FORA's plans and policies and are otherwise consistent with the Fort Ord Reuse Authority Act. Further, the County considered the Fort Ord Base Reuse Plan EIR and adopted Addenda to the EIR, and other evidence supporting the findings.

COPY

- H. On December 5, 2001, the County provided FORA with a complete copy of the Amendments, the resolutions and ordinance approving the Amendments, a staff report and materials relating to the Amendments, a copy of the EIR Addendum and/or CEQA findings, and findings and evidence supporting its determination that the Amendments are consistent with the Fort Ord Base Reuse Plan and the Fort Ord Reuse Authority Act (collectively, "Supporting Material"). The County requested that FORA certify the Amendments as being consistent with the Fort Ord Base Reuse Plan for those portions of the County that lie within the jurisdiction of the Fort Ord Reuse Authority.
- I. The Executive Officer of FORA has reviewed the Amendments and Supporting Materials with the Working Group and Administrative Committee of FORA and has submitted a report recommending that the Board find that the Amendments to the County General Plan for those portions of the County that lie within the jurisdiction of the Fort Ord Reuse Authority, are consistent with the Fort Ord Base Reuse Plan.
- J. Chapter 8, Section 8.02.010(a)(4) guides the determination of use consistency and reads: "(a) In the review, evaluation, and determination of consistency regarding legislative land use decisions, the Authority Board shall disapprove any legislative land uses decision for which there is substantial evidence supported by the record, that [it] (4) Provides uses which conflict or are incompatible with uses permitted or allowed in the Reuse Plan for the affected property..."
- K. Planning determinations of land use consistency with planning documents do not require a perfect match within the State of California. For example, the State Office of Planning and Research definition in the General Plan Guidelines cited with approval by courts states: "An action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment."
- L. FORA needs to determine consistency based upon the overall general plan submittal and a fuller variety of review factors, not predicated on precise matches or failure of one or two possible areas of concern.

NOW THEREFORE the Board hereby resolves as follows:

1. The Board has reviewed and considered the Fort Ord Base Reuse Plan Final Environmental Impact Report and the County's Environmental Material Addendum (collectively, the "Environmental Documentation") and finds that in the independent judgment of the Board, the Environmental Documentation are adequate and in compliance with the California Environmental Quality Act and the same documents are hereby determined sufficient for purposes of FORA's determination of consistency of County's Amendments to its General Plan and its Zoning Ordinance.
2. The Board has considered the Amendments and Supporting Material provided by the County of Monterey and the recommendation of the Executive Officer and Administrative Committee.
3. The Board finds that, in regard to the Amendments, the County has followed the procedures and fulfilled the requirements of the Implementation Process and Procedures

of the Fort Ord Base Reuse Plan and the Master Resolution and has met the requirements of Government Code section 67675, and following.

4. The Board finds that the County has provided substantial evidence that the Amendments are consistent with the Fort Ord Base Reuse Plan. The Board further finds that the legislative decision made hereto has been based in part upon the substantial evidence submitted regarding allowable land uses, a weighing of the Base Reuse Plan's emphasis on a resource constrained sustainable reuse that evidences a balance between jobs created and housing provided, and that the cumulative land uses contained in the County General Plan are not more intense or dense than those contained in the Base Reuse Plan.
5. The County's Amendment to its General Plan, as contained in Resolution #01-457 will, considering all their aspects, further the objectives and policies of the Final Base Reuse Plan and are hereby approved and certified as meeting the requirements of Title 7.85 of the Government Code and are consistent with the Fort Ord Base Reuse Plan.
6. The Board acknowledges citizen concern over the effect of the Monterey County General Plan on housing opportunities. The Board finds that the County's General Plan enables affordable housing units to be constructed and offers other compensating opportunities for persons of color in and around the former Fort Ord.

Upon motion of Supervisor Johnsen, seconded by Council Member Mancini, the foregoing resolution was passed on this 18th day of January, 2002, by the following vote:

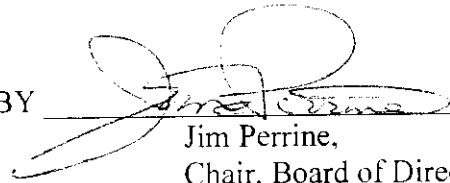
AYES:	13
NOES:	0
ABSENT:	0
ABSTENTIONS:	0

I, JIM PERRINE, Chair of the Board of Directors of the Fort Ord Reuse Authority of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of the said Board of Directors duly made and entered in the minutes of the board meeting of January 18, 2002 thereof, which are kept in the Minute Book resident in the offices of the Fort Ord Reuse Authority.

DATED

2/8/02

BY



Jim Perrine,
Chair, Board of Directors
Fort Ord Reuse Authority