

## RESOLUTION # 04-1

A Resolution of the Fort Ord Reuse Authority amending Chapter 8 of the Master Resolution by the addition of language to two sections of Chapter 8 regarding consistency determination factors.

### AUTHORITY COUNSEL SUMMARY

*This resolution defines factors to be considered in Consistency Determinations as they relate to the production of housing on the former Fort Ord and amends the Master Resolution by the addition of Section 8.02.020(t) and Section 8.02.030(a)(8).*

The Board of Directors of the Fort Ord Reuse Authority ("FORA") recognizes that the jobs/housing balance is a basic tenet of the Base Reuse Plan. The review, evaluation, and determination of consistency regarding legislative land use decisions must include consideration of the effect these plans, ordinances and decisions will have on the jobs housing balance. FORA's goal is to create affordable housing that is beyond the minimum state and local statutory percentage levels on jurisdictional parcels located on the former Fort Ord. The FORA Board of Directors hereby amends the Master Resolution to add Section 8.02.020(t) and Section 8.02.030(a)(8) as follows:

#### SECTION 1. [Insert after **Section 8.02.020(s)**]

**Section 8.02.020(t):** Each land use agency shall include policies and programs in their general, area, and specific plans that will ensure compliance with the 1997 adopted Fort Ord Reuse Authority ("FORA") Base Reuse Plan ("BRP") jobs/housing balance provisions. The policies and programs for the provision of housing must include flexible targets that generally correspond with expected job creation on the former Fort Ord. It is recognized that, in addressing the BRP jobs/housing balance, such flexible targets will likely result in the availability of affordable housing in excess of the minimum 20% local jurisdictional inclusionary housing figure, which could result in a range of 21% - 40% below market housing. Each land use agency should describe how their local inclusionary housing policies, where applicable, address the BRP jobs/housing balance provisions.

1. Agencies submitting consistency determination requests to FORA should identify and describe, where applicable, any factors that impact production of housing. These factors may include, without limitation, public financing, water resources, land use regulations, and environmental conditions. Each jurisdiction should consider, but not be limited to, the following in establishing its BRP jobs/ housing balance policies and programs:
  - a. Earmarking of tax increment housing set aside funds for housing programs, production, and/or preservation linked to jobs;
  - b. Development and/or preservation of ownership or rental housing linked to jobs;
  - c. Incorporation of job creation targets in project specifications;
  - d. Linkage of existing housing resources with jobs created;
  - e. Development of agreements with such jurisdictions for Reuse Plan-enhancing job creation or housing programs, production, and/or preservation; and
  - f. Granting of incentives to increase additional below-market housing production to meet job creation needs.

2. As a reference and guide for determining income limits and housing affordability levels, each land use agency should use measures established by the U.S. Department of Housing and Urban Development, the California Department of Housing and Community Development, and/or the Association of Monterey Bay Area Governments when determining compliance for very low, low, median, moderate affordability and comparable affordability factors for below-market housing up to 180% of median as approved as FORA policy guidelines at the January 9, 2004 FORA Board meeting.

**SECTION 2.** [Insert after **Section 8.02.030(a)(7)**]

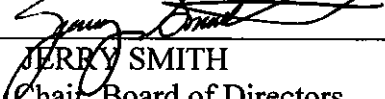
**Section 8.02.030(a)(8):** Is not consistent with the jobs/housing balance requirements developed and approved by the Authority Board as provided in Section 8.02.020(t) of this Master Resolution.

**SECTION 3.** This resolution shall take effect immediately upon final passage.

PASSED AND ADOPTED this 16th day of April, 2004, by the following vote:

AYES: 11  
NOES: -0-  
ABSTAIN: -0-  
ABSENT: 2

DATED: April 21, 2004

By:   
JERRY SMITH  
Chair, Board of Directors  
Fort Ord Reuse Authority