

Resolution 14-01

Resolution Certifying Consistency of)
Seaside General Plan zoning text amendment)
and project entitlements related to)
the American Youth Hostel)

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 ("BRP") under Government Code Section 67675, et seq.
- B. Upon BRP adoption, Government Code Section 67675, et seq. requires each county or city within the former Fort Ord to submit to FORA its general plan or amended general plan and zoning ordinances, and to submit project entitlements, and legislative land use decisions that satisfy the statutory requirements.
- C. By Resolution No. 98-1, the FORA Board adopted policies and procedures implementing the requirements in Government Code 67675, et seq.
- D. The City of Seaside ("Seaside") is a member of FORA. Seaside has land use authority over land situated within the former Fort Ord and subject to FORA's jurisdiction.
- E. After a noticed public meeting on August 28, 2013, the City of Seaside adopted a General Plan zoning text amendment and project entitlements related to the American Youth Hostel ("AYH"). Seaside also found these items consistent with the BRP, FORA's plans and policies and the FORA Act and considered the BRP Environmental Impact Report ("EIR") in their review and deliberations.
- F. On January 24, 2014, the City of Seaside recommended that FORA concur in the City's determination that FORA's BRP, certified by the Board on June 13, 1997, and Seaside General Plan ("SGP") zoning text amendment and project entitlements related to the AYH are consistent. Seaside submitted to FORA these items together with the accompanying documentation.
- G. Consistent with the Implementation Agreement between FORA and Seaside, on January 24, 2014, Seaside provided FORA with a complete copy of the submittal for lands on the former Fort Ord, the resolutions and ordinance approving it, a staff report and materials relating to the City of Seaside's action, a reference to the environmental documentation and/or CEQA findings, and findings and evidence supporting its determination that the SGP zoning text amendment and project entitlements related to the AYH are consistent with the BRP and the FORA Act (collectively, "Supporting Material"). Seaside requested that FORA certify the submittal as being consistent with the BRP for those portions of Seaside that lie within the jurisdiction of FORA.
- H. FORA's Executive Officer and the FORA Administrative Committee reviewed Seaside's application for consistency evaluation. The Executive Officer submitted a report recommending that the FORA Board find that the SGP zoning text amendment

and project entitlements related to the AYH are consistent with the BRP. The Administrative Committee reviewed the Supporting Material, received additional information, and concurred with the Executive Officer's recommendation. The Executive Officer set the matter for public hearing regarding consistency of the SGP zoning text amendment and project entitlements related to the AYH before the FORA Board on March 14, 2014.

- I. Master Resolution, Chapter 8, Section 8.02.010(a)(4) reads in part: "(a) In the review, evaluation, and determination of consistency regarding legislative land use decisions, the Authority Board shall disapprove any legislative land use 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 BRP for the affected property..."
- J. FORA's review, evaluation, and determination of consistency is based on six criteria identified in section 8.02.010. Evaluation of these six criteria form a basis for the Board's decision to certify or to refuse to certify the legislative land use decision.
- K. The term "consistency" is defined in the General Plan Guidelines adopted by the State Office of Planning and Research as follows: "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." This includes compliance with required procedures such as 8.02.010 of the FORA Master Resolution.
- L. Master Resolution, Chapter 8, Section 8.02.010(a)(1-6) reads: "(a) In the review, evaluation, and determination of consistency regarding legislative land use decisions, the Authority Board shall disapprove any legislative land use decision for which there is substantial evidence supported by the record, that (1) Provides a land use designation that allows more intense land uses than the uses permitted in the Reuse Plan for the affected territory; (2) Provides for a development more dense than the density of use permitted in the Reuse Plan for the affected territory; (3) Is not in substantial conformance with applicable programs specified in the Reuse Plan and Section 8.02.020 of this Master Resolution. (4) Provides uses which conflict or are incompatible with uses permitted or allowed in the Reuse Plan for the affected property or which conflict or are incompatible with open space, recreational, or habitat management areas within the jurisdiction of the Authority; (5) Does not require or otherwise provide for the financing and/or installation, construction, and maintenance of all infrastructure necessary to provide adequate public services to the property covered by the legislative land use decision; and (6) Does not require or otherwise provide for implementation of the Fort Ord Habitat Management Plan."

NOW THEREFORE be it resolved:

1. The FORA Board recognizes the City of Seaside's August 28, 2013 recommendation that the FORA Board certify consistency between the BRP and the SGP text amendment and project entitlements related to the AYH was appropriate.

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5. The SGP zoning text amendment and project entitlements related to the AYH will, considering all their aspects, further the objectives and policies of the BRP. The Seaside application is hereby determined to satisfy the requirements of Title 7.85 of the Government Code and the BRP.

Upon motion by Mayor Rubio, seconded by Councilmember Beach, the foregoing Resolution was passed on this 14th day of March, 2014, by the following vote:

AYES: BEACH, CALCAGNO, EDELEN, GUNTER, LUCIUS, MORTON,
O'CONNELL, OGLESBY, PARKER, PENDERGRASS, POTTER,
RUBIO, SELFRIDGE

NOES: NONE

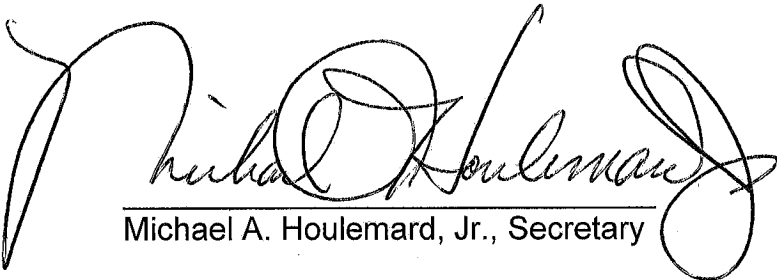
ABSTENTIONS: NONE

ABSENT: NONE



Jerry Edelen, Chair

ATTEST:



Michael A. Houlemard, Jr., Secretary