

FORT ORD REUSE AUTHORITY
Resolution No. 20-10

**A RESOLUTION OF THE GOVERNING BODY OF THE FORT ORD REUSE
AUTHORITY**

*Certifying the City of Seaside's General Plan Circulation Element Amendments,
Zoning Map and text amendments creating the "Campus Town Specific Plan"
District, Campus Town Specific Plan, and development entitlements for the Campus
Town Project.*

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. After FORA adopted the BRP, 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 Authority Board of FORA 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 noticed public hearings on March 5 and March 19, 2020, Seaside adopted the General Plan Circulation Element Amendments, Zoning Map and text amendments creating the "Campus Town Specific Plan" District, Campus Town Specific Plan, Development Agreement, Vesting Tentative Subdivision Map, and Affordable Housing Agreement for the Campus Town Project (collectively, the "Campus Town Project"), affecting lands on the former Fort Ord. Seaside also found the Campus Town Project consistent with the Fort Ord BRP, FORA's plans and policies, and the FORA Act, and considered the Fort Ord BRP Environmental Impact Report ("FORA EIR") and the Campus Town Environmental Impact Report in its review and deliberations.
- F. On April 30, 2020, Seaside requested that FORA certify the Campus Town Project as consistent with FORA's Final Base Reuse Plan, certified by the Board on June 13, 1997. Seaside submitted to FORA its Campus Town Project together with the accompanying documentation.
- G. Consistent with the Implementation Agreements between FORA and Seaside, on April 30, 2020, Seaside provided FORA with a complete copy of the submittal for lands on the former Fort Ord, the resolutions and/or ordinances approving it, a staff report and materials relating to Seaside's action, and findings and evidence supporting its determination that the Campus Town Project is consistent with the BRP and the FORA Act (collectively, "Supporting Material"). Seaside requested that FORA certify the Campus Town Project 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 Campus Town Project is consistent with the BRP. The Administrative Committee reviewed the Supporting Material on May 20, 2020 and concurred with the Executive Officer's recommendation. The Executive Officer set the matter for public hearing regarding consistency of the Campus Town Project before the FORA Board on June 6, 2020.
- I. Master Resolution, Chapter 8, Section 8.01.020(e) reads in part: "(e) In the event the Authority Board refuses to certify the legislative land use decision in whole or in part, the Authority Board's resolution making findings shall include suggested modifications which, if adopted and transmitted to the Authority Board by the affected land use agency, will allow the legislative land use decision to be certified. If such modifications are adopted by the affected land use agency as suggested, and the Executive Officer confirms such modifications have been made, the legislative land use decision shall be deemed certified..."
- J. FORA's review, evaluation, and determination of consistency is based on six criteria identified in section 8.02.010 and eight criteria identified in section 8.02.030. Evaluation of these criteria form a basis for the Board's decision to certify or to refuse to certify the legislative land use decisions and development entitlements.
- 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 section 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."
- M. Master Resolution, Chapter 8, Section 8.02.030(a)(1-8) reads: "(a) In the review, evaluation, and determination of consistency regarding any development entitlement presented to the Authority Board pursuant to Section 8.01.030 of this Resolution, the Authority Board shall withhold a finding of consistency for any development entitlement that:
 - (1) Provides an intensity of land use which is more intense than that provided for in the

applicable legislative land use decisions, which the Authority Board has found consistent with the Reuse Plan; (2) Is more dense than the density of development permitted in the applicable legislative land use decisions which the Authority Board has found consistent with the Reuse Plan; (3) Is not conditioned upon providing, performing, funding, or making an agreement guaranteeing the provision, performance, or funding of all programs applicable to the development entitlement as specified in the Reuse Plan and in Section 8.02.020 of this Master Resolution and consistent with local determinations made pursuant to Section 8.02.040 of this 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 installation, construction, and maintenance of all infrastructure necessary to provide adequate public services to the property covered by the applicable legislative land use decision; (6) Does not require or otherwise provide for implementation of the Fort Ord Habitat Management Plan; (7) Is not consistent with the Highway 1 Scenic Corridor design standards as such standards may be developed and approved by the Authority Board; (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."

NOW THEREFORE the Board hereby resolves that:

1. The FORA Board acknowledges Seaside's recommendations and actions of April 30, 2020 requesting that the FORA Board certify that the Campus Town Project and the BRP are consistent.
2. The FORA Board has reviewed and considered the Campus Town Project EIR and Seaside's environmental documentation, and finds that these documents provide substantial additional information for purposes of FORA's determination that the Campus Town Project and the BRP are consistent.
3. The FORA Board has considered all the materials submitted with this application for a consistency determination, the recommendations of the Executive Officer and the Administrative Committee, and the oral and written testimony presented at the hearings, all of which are hereby incorporated by reference.
4. The FORA Board certifies that the Campus Town Project is consistent with the BRP. The FORA Board further finds that the legislative land use decisions and development entitlements are based in part upon the substantial evidence submitted and a weighing of the BRP's emphasis on a resource constrained sustainable reuse that evidences a balance between jobs created and housing provided.
5. The Campus Town Project will, considering all its 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 Board Member Haffa, seconded by Board Member Gaglioti, the foregoing Resolution was passed on this 4th day of June, 2020, by the following vote:

AYES: PARKER, PHILLIPS, ADAMS, GAGLIOTI, O'CONNELL, MORTON, HAFFA,
OGLESBY, WIZARD, CARBONE, GARFIELD, REIMERS

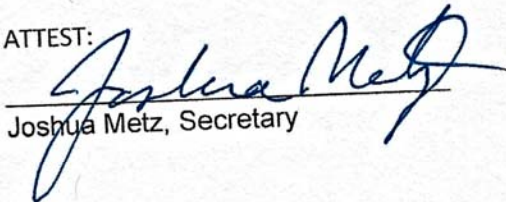
NOES:

ABSENTIONS:

ABSENT: GUNTER


Jane Parker, Chair

ATTEST:


Joshua Metz, Secretary