

Resolution #98-3

Resolution Certifying that the Amendments)
to the General Plan and Zoning Ordinance)
of the City of Del Rey Oaks are Consistent)
with the Fort Ord 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 which address how the Authority Board will implement the provisions of the Government Code referenced in Paragraph B.
- D. The City of Del Rey Oaks is a member agency of FORA and has property which falls within the territory occupied by Fort Ord and falls within the jurisdiction of FORA.
- E. After conducting duly noticed public hearings on May 27, 1997 and June 17, 1997, the city council of the City of Del Rey Oaks (the "City"), by Resolution 97-1, approved an update to the City's General Plan which provided land use designations, and which adopted policies and programs, for all of the territory of the City within the jurisdiction of FORA. A copy of the resolution updating the City's General Plan is attached on Exhibit A and made a part of this Resolution.
- F. After conducting duly noticed public hearings on August 20, 1997 and August 26, 1997, the city council of the City, by Ordinance No. 247, approved an amendment Zoning Code which provided zoning designations and standards for all of the territory of the City within the jurisdiction of FORA. A copy of the amendment to the City's Zoning Code is attached as Exhibit B and made a part of this Resolution.
- G. The City made findings that the Fort Ord Reuse Plan Final Environmental Impact Report, certified by the Authority Board on June 13, 1997, and incorporated by reference into the Environmental Impact Report prepared by the City for the amendments to its General Plan and its Zoning Ordinance (collectively "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 City 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 City determined that overriding considerations justified the approval of the Amendments.

- H. The City made findings that the Amendments are consistent with the Fort Ord Reuse Plan, are consistent with FORA's plans and policies and are otherwise consistent with the Fort Ord Reuse Authority Act. Further, the City considered the Fort Ord Base Reuse Plan EIR, the EIR, and other evidence supporting the findings.
- I. The City 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 and CEQA findings, and findings and evidence supporting its determination that the Amendments are consistent with the Fort Ord Reuse Plan and the Fort Ord Reuse Authority Act (collectively, "Supporting Material"). The City requested that FORA certify the Amendments as being consistent with the Fort Ord Reuse Plan.
- J. 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 are consistent with the Fort Ord Reuse Plan.

NOW THEREFORE the Board hereby resolves as follows:

1. The Board has reviewed and considered the Fort Ord Reuse Plan Final Environmental Impact Report and the City's EIR (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 (CEQA) and the same documents are hereby determined sufficient for purposes of FORA's determination of consistency of City's update to its General Plan and its amended Zoning Ordinance.
2. The Board has considered the updated General Plan and amended Zoning Ordinance and Supporting Material and the recommendation of the Executive Officer and Administrative Committee.
3. The Board conducted a public hearing on October 9, 1998, which was calendared and noticed by the Executive Officer of FORA, for the purpose of certifying or refusing to certify, in whole or in part, the updated General Plan and amended Zoning Ordinance and to consider whether to approve and certify that the updated General Plan and amended Zoning Ordinance meet the requirements of the Fort Ord Reuse Authority Act and are consistent with the Fort Ord Reuse Plan.

4. The Board finds that, in regards to the updated General Plan and amended Zoning Ordinance, the City has followed the procedures and fulfilled the requirements of the Implementation Process and Procedures of the Fort Ord Reuse Plan and the Master Resolution and has met the requirements of Government Code section 67675, and following.
5. The Board finds that the City has provided substantial evidence that the Amendments are consistent with the Fort Ord Reuse Plan. The evidence includes, but is not limited to, the findings attached to the City of Del Rey Oaks Resolution No. 97-1 and the Supporting Material.
6. City of Del Rey Oaks's update to its General Plan and amendments to its Zoning Ordinance, as contained in Resolution 97-1 and Ordinance 247, respectively, 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.

Upon motion of MEMBER SMITH, seconded by MEMBER PERRINE, the foregoing resolution was passed on this 11th day of December, 1998, by the following vote:

AYES: 12
NOES: 0
ABSENT: 1

I, EDITH JOHNSEN, 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 thereof at section 4B(1), page 2 of Minute Book DEC. 11, 1998, on DEC. 22, 1998.

DATED: January 22, 1999

By: Edith Johnsen
EDITH JOHNSEN
Chair, Board of Directors
Fort Ord Reuse Authority