



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #: 13-0860 **Name:** Fort Ord General Plan Consistency Analysis
Type: General Agenda Item **Status:** Passed
File created: 8/13/2013 **In control:** Board of Supervisors
On agenda: 8/27/2013 **Final action:** 8/27/2013
Title: Public Hearing to consider adoption of a Resolution:
a. Finding and certifying that the 2010 Monterey County General Plan, as subsequently amended, is consistent with, and intended to be carried out in a manner fully in conformity with the Fort Ord Base Reuse Plan, the Fort Ord Reuse Authority's plans and policies, including the Master Resolution, and the Fort Ord Reuse Authority Act; and
b. Directing the Director of the Resource Management Agency -Planning Department to submit the 2010 General Plan as amended to the Fort Ord Reuse Authority for a consistency determination, together with materials sufficient for a thorough and complete review.
(REF130071/Fort Ord Territory)
(Additional Staff Information Submitted - Memorandum Requesting Continuance. See Attachment - ADDED VIA SUPPLEMENATAL)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment A - Draft Board Resolution, 2. Attachment B - Plan Implementation Analysis, 3. Additional Staff Information Submitted – Memorandum Requesting Continuance, 4. Completed Board Order & Resolution

Date	Ver.	Action By	Action	Result
8/27/2013	1	Board of Supervisors	approved	Pass

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PROJECT INFORMATION:

Planning File Number: REF130071

Owner: N/A

Project Location: Fort Ord Master Plan Area

APN: N/A

Agent: N/A

Plan Area: Fort Ord Master Plan

Flagged and Staked: N/A

CEQA Action: Previously Certified Environmental Impact Report and Addenda thereto

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution:

- a. Finding and certifying that the 2010 Monterey County General Plan, as subsequently amended, is consistent with, and intended to be carried out in a manner fully in conformity with the Fort Ord Base Reuse Plan, the Fort Ord Reuse Authority's plans and policies, including the Master Resolution, and the Fort Ord Reuse Authority Act; and
- b. Directing the Director of the Resource Management Agency -Planning Department to submit the 2010 General Plan as amended to the Fort Ord Reuse Authority for a consistency determination, together with materials sufficient for a thorough and complete review.

SUMMARY:

Pursuant to the Fort Ord Reuse Authority Act and the Fort Ord Reuse Authority (FORA) Master Resolution, upon adopting or amending the General Plan affecting territory of Fort Ord, the County must certify that the portion of the General Plan applicable to the territory of Fort Ord is intended to be carried out in a manner fully in conformity with the Authority Act and Fort Ord Base Reuse Plan, and the County must submit the General Plan to FORA for a determination of consistency with the Authority Act and Reuse Plan.

In 2012 the County submitted the 2010 General Plan for the consistency determination with FORA. FORA deemed the application incomplete because the consistency determination did not include findings and certification from the Board. This finding was made within the adopted Fort Ord Master Plan chapter of the General Plan itself. The plan clearly states that *"the purpose of the plan is to designate land uses and incorporate objectives, programs, and policies to be consistent with the Fort Ord Reuse Plan adopted by FORA"*. However, the finding was not made separately within the resolution adopting the General Plan. According to FORA staff, this finding and certification must be made by a separate resolution and cannot be accomplished solely with language within the plan as was done in the Fort Ord Master Plan section of the 2010 Monterey County General Plan.

Following FORA staff's determination, the required resolution was not immediately prepared and presented for consideration because of the initiation of the Reassessment process and uncertainty with other land use considerations such as the development decisions on the landfill parcel. FORA's reassessment process continues to seek establishment of a baseline of all land use decisions in Fort Ord before evaluating any changes. For this reason staff finds that it is appropriate to submit the 2010 General Plan Consistency Determination now to establish our General Plan, as amended in 2012 and 2013, as part of the baseline of decisions made by FORA to date.

There are two separate but related questions that are likely to surface as part of this action. First, there may be areas of the Fort Ord Master Plan which the Board of Supervisors or the public would like to amend. Staff suggests that desired changes to the General Plan are not part of the consistency determination. The determination of consistency should focus on whether the 2010 General Plan, as amended, is consistent with the Fort Ord Base Reuse Plan. Desired changes can be undertaken following the consistency determination process. Second, there are a number of programs and ordinances that are required to "implement" the General Plan and the Base Reuse Plan. Many programs and ordinances are not yet in place but are in progress. The lack of having the implementation complete is not a consistency issue. Implementation of the General Plan is under way. County staff developed a work program for the implementation of the 2010 General Plan, including the Fort Ord Master Plan, and is actively working on implementation. The work program was approved by the Board of Supervisors for this fiscal year.

Staff finds that the General Plan as amended is consistent with the Authority Act and the Base Reuse Plan, as shown in the consistency analysis matrix (**Exhibit 1** to the attached Resolution). The Fort Ord Master Plan was originally prepared using the language of the Reuse Plan applicable to the County. In 2001, the Fort Ord Master Plan was adopted by the County and was found consistent with the Base Reuse Plan by FORA in 2002. The 2010 General Plan included some minor amendments to some of the policy language to reflect modifications made as part of the approved East Garrison development and an executed Agreement (East Garrison - Parker Flats Land Swap Assessment, May 2002). All of the modifications were done in consultation with FORA staff.

The required findings and certification are contained within the draft resolution (**Attachment A**). This resolution, when signed, will be forwarded to FORA to allow FORA to render a consistency determination. The Authority Act and FORA Master Resolution require the County to submit to FORA the resolution as well as “materials sufficient for a thorough and complete review” (Gov’t Code Section 67675.2). A critical part of the FORA submittal requirements is the consistency analysis checklist. This checklist reflects staff’s review of the 2010 General Plan policies, inclusive of the Fort Ord Master Plan, against the required policies of the Fort Ord Reuse Authority and the Base Reuse Plan (**Attachment A, Exhibit 1**). The consistency analysis checklist provides a brief summary of where the Fort Ord Reuse Authority required elements are contained within the 2010 General Plan. A more extensive list containing a discussion of each Base Reuse Plan policy and its *implementation status* is also attached (**Attachment B**). Attachment B was prepared by FORA staff and contains a status of implementation through actions such as zoning amendments and other program development. Attachment B is in draft form and the County is in the process of working with FORA staff to correct and update the contents of that document.

Adoption of the resolution contained in Attachment A does not require subsequent environmental review pursuant to Section 15162 of the California Environmental Quality Act Guidelines. An Environmental Impact Report was certified for the 2010 General Plan on October 26, 2010 (Resolution # 10-290). Addenda to the General Plan EIR were prepared for the 2013 General Plan amendments. The subject action involves adoption of findings certifying that the adopted General Plan is consistent with the Base Reuse Plan. The consistency determination does not propose changes to the General Plan, as amended, and no substantial changes have occurred with respect to the circumstances under which the General Plan was approved that would require major revisions to the EIR and its Addenda.

OTHER AGENCY INVOLVEMENT:

All edits to the Fort Ord Master Plan and preparation of the consistency analysis have been done in consultation with the Fort Ord Reuse Authority staff.

The proposed action was reviewed by the Fort Ord Subcommittee on July 30, 2013. The Fort Ord Subcommittee recommended approval of the consistency determination by a vote of 2-0.

FINANCING:

Funding for staff time associated with this work is included in the FY13-14 Adopted Budget for the Planning Department.

Prepared by: Craig Spencer, Associate Planner ext. 5233

Approved by: Mike Novo, Director, RMA-Planning, ext. 5192

Benny Young, Director Resource Management Agency

This report was prepared with assistance by John Ford and reviewed by Carl Holm

cc: Front Counter Copy; John Ford RMA Management Analyst; Jonathan Garcia, Fort Ord Reuse

Authority; The Open Monterey Project; LandWatch; Sierra Club (Ventana Chapter); Keep Fort Ord Wild; Project File REF130071

The following attachments on file with the Clerk of the Board:

Attachment A	Draft Board Resolution
	Exhibit 1- Consistency Analysis
Attachment B	Plan Implementation Analysis