



Legislation Details (With Board Report)

**File #:** 12-567      **Name:** Whispering Oaks Board Referral 2012.02  
**Type:** General Agenda Item      **Status:** Passed  
**File created:** 6/14/2012      **In control:** Board of Supervisors  
**On agenda:** 6/26/2012      **Final action:** 6/26/2012

**Title:** a. Consider options regarding a proposed change of land use designation and zoning from Planned Development-Mixed Use (Public/Quasi-Public zoning) to Open Space for two parcels totaling approximately 116 acres in the Fort Order Master Plan, located at the northeast corner of 7th Avenue and Intergarrison Road (aka Whispering Oaks site); and  
b. Provide direction to staff.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Whispering Oaks\_Ex B-Site Map.pdf, 2. Whispering Oaks\_Ex A-Discussion.pdf, 3. Completed Board Order, 4. Revised Board Order

Date	Ver.	Action By	Action	Result
6/26/2012	1	Board of Supervisors	approved	Pass

a. Consider options regarding a proposed change of land use designation and zoning from Planned Development-Mixed Use (Public/Quasi-Public zoning) to Open Space for two parcels totaling approximately 116 acres in the Fort Order Master Plan, located at the northeast corner of 7<sup>th</sup> Avenue and Intergarrison Road (aka Whispering Oaks site); and  
b. Provide direction to staff.

**SUMMARY/DISCUSSION:**

In March of 2012, a Board Referral was made to have the Planning Commission consider rezoning of the subject property to open space and transferring the land to the federal Bureau of Land Management or to a park district. Staff has discussed the referral with the referring Board Office and with Fort Ord Reuse Authority (FORA) staff. This referral has not yet been discussed by the Board of Supervisors Fort Ord Subcommittee. Details on the process and staff time required to move forward on the referral are provided in **Exhibit A-Discussion**. Due to the currently unbudgeted nature of workload related to this referral and potential delays to existing projects, it is requested that the full Board provide direction on its desire for staff to move forward on the rezoning request.

**Option 1:** If the Board directs initiation of said land use change, staff will return to the Board with a draft Resolution of Intent directing staff to prepare the resolutions and ordinances and environmental review that would allow the Planning Commission to consider amendments to the Fort Ord Master Plan land use designation and zoning for the two subject parcels located at the northeast corner of 7<sup>th</sup> Avenue and Intergarrison Road.

**Option 2:** If the Board does not specifically direct staff to pursue this request, then staff will not spend any further time on this matter and we would consider the referral closed.

Action taken today is exempt from CEQA under CEQA Guidelines section 15061(b)(3) because it will not have

a physical effect on the environment. Depending on Board action, Option 1 would require staff to return with a Resolution of Intent to begin a process that will be subject to environmental review and further evaluation before any binding action is taken. Option 2 requires no further action.

**OTHER AGENCY INVOLVEMENT:**

Should the Board approve Option 1, part of this review will require evaluation of potential development/environmental impacts resulting from such change. All County land use agencies (Planning, Public Works, Environmental Health, Water Resources, County Counsel, Parks and the Economic Opportunity Department) would be involved in processing a land use designation and zoning change. Making this a priority project would require the team working on advanced planning matters to change priorities for other work that has been programmed (General Plan Implementation/Ordinances, Local Coastal Program Update/2004 Periodic Review).

**FINANCING:**

As a County-initiated action, no fees would be collected for steps involved with approval of Option 1. Due to the complication of land use and financial issues, staff estimates that it would require about 200 staff hours to perform the related work. Using the standard billing rate for planning services, this would equate to a fee of \$34,000 that would not be collected. This does not include any outside technical expertise that may be required such as an economic assessment. As part of the Fort Ord Reuse Plan, Monterey County accepted open space lands in exchange of a certain amount of development that would help balance costs of maintaining said lands. Therefore, staff would evaluate financial implications of the proposed land use change if the Board directs this work. Identifying financial implications to the FORA CIP and to the Reuse Plan may require hiring a consultant.

Prepared by:

Approved by:

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Director  
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Attachments:

Exhibit A- Discussion; Exhibit B-Site Map