



A G E N D A

CITY OF SEASIDE
CITY COUNCIL

SPECIAL MEETING
Oldemeyer Center
986 Hilby Avenue
Thursday, October 13, 2016
7:00 PM

PLEASE TURN OFF YOUR CELL PHONES UPON ENTERING THE MEETING

CALL TO ORDER

ROLL CALL – ESTABLISHMENT OF QUORUM

Ralph Rubio	Mayor
Ian N. Oglesby	Mayor Pro Tem
Dennis J. Alexander	Council Member
Jason Campbell	Council Member
David R. Pacheco	Council Member

ORAL COMMUNICATIONS

Members of the public wishing to address the City Council on matters within the jurisdiction of the City of Seaside, but not on this agenda, may do so during the Public Comment period for up to three minutes. Public Comments on specific agenda items are heard under that item. For the public record, please state your name.

PUBLIC HEARING

CONDUCT A PUBLIC HEARING REGARDING THE MONTEREY DOWNS AND MONTEREY HORSE PARK AND CENTRAL COAST VETERANS CEMETERY PROJECT AND CONSIDER 1) CERTIFICATION OF THE FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (EIR), 2) AMENDMENT OF THE SEASIDE GENERAL PLAN (GPA 12-01), 3) ADOPTION OF THE MONTEREY DOWNS AND MONTEREY HORSE PARK AND CENTRAL COAST VETERANS CEMETERY SPECIFIC PLAN (SPL 12-01), AND 4) AMENDMENT OF TITLE 17 OF THE SEASIDE MUNICIPAL CODE (Z 12-02)

PURPOSE: The purpose of this meeting is to hold a duly noticed public hearing to consider 1) certification of the SEIR, 2) approval of a General Plan Amendment 3) adoption of the Specific Plan, and 4) approval of an amendment to Title 17 of the Seaside Municipal Code (Zoning Ordinance). If the City Council decides to approve the Project, at this meeting, or a future meeting, it would also need to adopt a statement of overriding considerations setting forth the benefits of the Project that outweigh the significant unmitigable adverse impacts identified in the SEIR, and a mitigation monitoring and reporting program making the various mitigation measures identified in the SEIR binding on the Project.

RECOMMENDATION:

It is recommended that the City Council take the following actions regarding the subject applications:

1. Receive and consider the staff report and staff presentation;
2. Receive and consider the EIR consultant's presentation;
3. Open the public hearing;
4. Receive the applicant's presentation;
5. Receive public comment;
6. Receive any rebuttal testimony from the applicant team;
7. Close the public hearing, consider the information received, and deliberate;
8. Consider adopting a Resolution certifying the SEIR for the Project, making findings pursuant to CEQA, adopting a Mitigation Monitoring and Reporting Program, and adopting a Statement of Overriding Considerations (Attachment 1);
9. Consider adopting a Resolution approving the General Plan Amendment (Attachment 2);
10. Consider conducting a first reading of an Ordinance adopting the Specific Plan (Attachment 3), with staff and Board of Architectural Review recommended modifications and any further modifications as the City Council may direct; and,
11. Consider conducting a first reading of an Ordinance amending Title 17 of the Seaside Municipal Code (Attachment 4).

ADJOURNMENT

Next Regularly Scheduled Meeting:
October 20, 2016
7:00 PM

The City of Seaside is an ADA accessible facility and is committed to include the disabled in all of its services, programs and activities. Any person who requires accommodation to be able to participate in this meeting is asked to contact the office of the City Clerk at 899-6707, no fewer than two business days prior to the meeting to allow for reasonable arrangements. The City Council Chambers is equipped with a portable microphone for anyone unable to come to the podium. Assisted listening devices are also available.

Meetings that are held in the City Council Chambers are broadcast live to all Seaside residents on Comcast Channel 25 and U-verse Channel 99. Meetings are also available through live streaming at:

<http://cvp.telvue.com/player?id=T01629&video=52314&noplaylistskin=1&width=400&height=300> Videos of past meetings are available on demand through the City's website: <http://www.ci.seaside.ca.us>

Agenda-related writings or documents provided during public meetings are available for public inspection during the meeting or from the office of the City Clerk. This agenda is posted in compliance with California Government Code Section 54954.2(a) or Section 54956.



**CITY OF SEASIDE
STAFF REPORT**

Item No.:

TO: City Council

FROM: Craig Malin, City Manager

BY: Teri Wissler Adam, City Contract Project Manager

DATE: October 13, 2016

SUBJECT: **CONDUCT A PUBLIC HEARING REGARDING THE MONTEREY DOWNS AND MONTEREY HORSE PARK AND CENTRAL COAST VETERANS CEMETERY PROJECT AND CONSIDER 1) CERTIFICATION OF THE FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (EIR), 2) AMENDMENT OF THE SEASIDE GENERAL PLAN (GPA 12-01), 3) ADOPTION OF THE MONTEREY DOWNS AND MONTEREY HORSE PARK AND CENTRAL COAST VETERANS CEMETERY SPECIFIC PLAN (SPL 12-01), AND 4) AMENDMENT OF TITLE 17 OF THE SEASIDE MUNICIPAL CODE (Z 12-02)**

PURPOSE

The purpose of this meeting is to hold a duly noticed public hearing to consider 1) certification of the SEIR, 2) approval of a General Plan Amendment 3) adoption of the Specific Plan, and 4) approval of an amendment to Title 17 of the Seaside Municipal Code (Zoning Ordinance). If the City Council decides to approve the Project, at this meeting, or a future meeting, it would also need to adopt a statement of overriding considerations setting forth the benefits of the Project that outweigh the significant unmitigable adverse impacts identified in the SEIR, and a mitigation monitoring and reporting program making the various mitigation measures identified in the SEIR binding on the Project.

RECOMMENDATION

It is recommended that the City Council take the following actions regarding the subject applications:

1. Receive and consider the staff report and staff presentation;
2. Receive and consider the EIR consultant's presentation;
3. Open the public hearing;
4. Receive the applicant's presentation;

5. Receive public comment;
6. Receive any rebuttal testimony from the applicant team;
7. Close the public hearing, consider the information received, and deliberate;
8. Consider adopting a Resolution certifying the SEIR for the Project, making findings pursuant to CEQA, adopting a Mitigation Monitoring and Reporting Program, and adopting a Statement of Overriding Considerations (Attachment 1);
9. Consider adopting a Resolution approving the General Plan Amendment (Attachment 2);
10. Consider conducting a first reading of an Ordinance adopting the Specific Plan (Attachment 3), with staff and Board of Architectural Review recommended modifications and any further modifications as the City Council may direct; and,
11. Consider conducting a first reading of an Ordinance amending Title 17 of the Seaside Municipal Code (Attachment 4).

BACKGROUND

Closure of Fort Ord

The 711-acre subject property is located on the former Fort Ord. It is identified as a development parcel in the Fort Ord Base Reuse Plan, which was adopted by the Fort Ord Reuse Authority in 1997. The predominantly undeveloped Project site contains only limited improvements associated with the site's former use as a military base and training facility.

On September 16, 2010, the City, the Seaside Redevelopment Agency, and Monterey Downs, LLC (the "Applicant") entered into an Exclusive Negotiating Agreement (the "ENA") for the potential development of the land. The ENA was amended three times and expires on March 3, 2017.

Subsequently, the State of California dissolved redevelopment agencies effective February 1, 2012. As part of this dissolution, redevelopment agencies were required to establish a successor agency charged with handling any outstanding debts and winding down the activities of the former redevelopment agencies, under the direction of an Oversight Board. The City of Seaside has been established as the Successor Agency to the Redevelopment Agency of the City of Seaside.

Cemetery Endowment Fund

In compliance with AB 3035 requirements, the City of Seaside, County of Monterey, Central Coast Veterans Cemetery Foundation, and the Fort Ord Reuse Authority entered into a memorandum of understanding to cooperate in processing the cemetery plan and to establish an endowment fund for continued operation of the cemetery as required by the California Department of Veterans Affairs. These local agencies developed a strategy to meet AB 3035 requirements. Specifically, the strategy involved selling the portion of the total 178-acre cemetery site that was not necessary to meet the projected burial needs of the surrounding Veteran population, the proceeds from which would fund the endowment. As a result, an approximately 31.5-acre portion of the property (Endowment Parcel) was identified and included within the Specific Plan.

Applications

On June 5, 2012, the City received the following applications: Specific Plan; General Plan Amendment; Zoning Amendment; Sphere of Influence Amendment; Rezoning and Annexation; and a Vesting Tentative Map. An application for a Master Tentative Map was received on November 18, 2015. The General Plan Amendment, Specific Plan, and Zoning Amendment are the applications being considered at this hearing. The other applications will be studied and considered at a later date.

SITE LOCATION AND DESCRIPTION

A portion of the 711.1-acre project site (approximately 148.6 acres) is located within the city limits and a portion (approximately 562.5 acres) is located within unincorporated Monterey County. [Exhibit A](#) presents the location of the project site within the context of the City and the Fort Ord Base Reuse Plan. The predominantly undeveloped Project site contains only limited improvements associated with the site's former use as a military base, including approximately ten structures interspersed throughout the site and paved parking lots in the western and north-central areas of the site. Four paved roads and numerous gravel/dirt roads traverse the Project site. Additionally, two overhead utility corridors traverse the Project site: one utility corridor through the center of the site in a north-south orientation; and one parallel to Gigling Road. Adjacent land uses are presented in [Exhibit B](#), Surrounding Land Uses.

Of the nine habitat types that are present on the Project site, coast live oak woodland is the predominant habitat. Central maritime chaparral, central coast scrub, and non-native grassland, among others, are also present on the Project site. Trees within the Project site are comprised almost entirely of coast live oak (*Quercus agrifolia*), although a few Monterey pine (*Pinus radiata*) and Monterey cypress (*Cupressus macrocarpa*) are also present.

Mitigation is required for the loss of oak woodland. The mitigation requires a 1:1 compensation ratio, of which up to 50 percent shall be coast live oak habitat restoration on site, on the adjacent Fort Ord Recreational Habitat Area, or other appropriate habitats of the former Fort Ord. If sufficient area is not available for habitat restoration on the former Fort Ord, an acceptable location preferably within Monterey County would be required. The balance would be accomplished through creating a conservation easement and/or participating in a mitigation bank or fee program to conserve oak woodland.

EXISTING LAND USE DESIGNATIONS

The project site is subject to various land use designations/concepts in the following plans: City of Seaside General Plan, the Fort Ord Base Reuse Plan, and the County of Monterey General Plan. City of Seaside land use designations are High Density Residential and Parks and Open Space (Veteran's Cemetery). The Fort Ord Base Reuse Plan land use concept and ultimate development designations, as modified by the City of Seaside General Plan and actions by FORA and other agencies, are Public Facility/Institutional, High Density Residential, Monterey Horse Park, Oak Woodland Habitat Reserve, County Development Reserve, and Veterans Cemetery. The majority of the project site designations outside of the current Seaside city limits were revised by the 2003 East Garrison/Parker Flats Land Use Modification Memorandum of

Understanding by and between FORA, the County of Monterey, Monterey Peninsula College, U.S. Department of the Army, and the U.S. Bureau of Land Management. The Base Reuse Plan Land Use Concept, as modified by these actions, is presented in [Exhibit C](#). This MOU effectively reduced the acreage for low density residential uses, allowed for equestrian uses at the project site, and allowed for more development within East Garrison. As a result of this “land swap” MOU, the protected habitat on the former Fort Ord was increased by 246.7 acres (177.6 acres of maritime chaparral, 66.3 acres of oak woodland, and 2.8 acres of grassland).

The Monterey County General Plan land use designations are Low Density Residential, Business Park/Light Industrial Office/Research & Development, and Public Facility/Institution. These were the land use designations in the Base Reuse Plan as well, prior to approval of the 2003 East Garrison/Parker Flats Land Use Modification MOU.

PROJECT DESCRIPTION

General Plan Amendment

The Seaside General Plan is proposed to be amended to incorporate the Specific Plan. Amendments including both map and text amendments, which are included in [Attachment 2, Resolution to Amend the Seaside General Plan](#).

Specific Plan

A specific plan is a tool for the systematic implementation of the general plan. It effectively establishes a link between implementing policies of the general plan and the individual development proposals in a defined area. A specific plan may be as general as setting forth broad policy concepts, or as detailed as providing direction to every facet of development from the type, location and intensity of uses to the design and capacity of infrastructure; from the resources used to finance public improvements to the design guidelines of a subdivision. Section 65451 of the California Government Code mandates that a specific plan include the following:

- (a) A specific plan shall include a text and a diagram or diagrams which specify all of the following in detail:
 - (1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
 - (2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
 - (3) Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
 - (4) A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3).
- (b) The specific plan shall include a statement of the relationship of the specific plan to the general plan.

The City of Seaside currently has two adopted specific plans: the Projects at Main Gate Specific Plan, and the West Broadway Urban Village Specific Plan.

The draft Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan (Specific Plan) addresses approximately 711 acres, partially located within the city limits of Seaside and partially located in unincorporated Monterey County. If adopted, it would be the City's tool for implementation of the Seaside General Plan, as well as the Fort Ord Base Reuse Plan (BRP) for this property, upon annexation to the City. The Specific Plan includes a vision for the property, as well as goals, policies, and implementation measures. Policies focus on economics, education, the environment, and the Veterans Cemetery. The Specific Plan includes a land use plan, including a land use concept with specific planning areas, location of parks, open space, trails, and recreation areas, and land use regulations, including permitted uses within each planning area. The Specific Plan also includes a circulation plan, a public facilities and services plan, architectural design guidelines, development standards, and landscape and grading standards. Finally, the Specific Plan includes implementation procedures including general phasing of development, the development review and approval process, summary of infrastructure improvements responsibility, infrastructure financing mechanisms, and impact fees.

The Specific Plan Land Use Map ([Exhibit D](#)) includes Residential, Commercial, Recreational, Open Space, Veterans Cemetery, and Public Facilities planning areas. The land use plan envisions a mixed-use village consistent with the design principles outlined in the BRP and consistent with the goals and policies of the Seaside General Plan. In summary, the Specific Plan provides for the following:

- Up to 400 multi-family homes including student apartments on approximately 19 acres;
- Up to 880 single-family homes including 26 detached courtyard homes on approximately 130 acres;
- Up to 535,000 square feet of retail and commercial uses including two 200-room hotels on approximately 51 acres;
- an equestrian park (Monterey Horse Park) on approximately 111 acres;
- an outdoor equestrian training track, indoor sports arena, and up to 256 worker lodging units on approximately 139 acres;
- the Veterans Cemetery with ancillary parcels on approximately 135 acres;
- approximately 20 acres reserved for public facilities including a proposed City corporation yard, a Marina Coast Water District existing water storage tank parcel, and proposed fire station;
- approximately 34 acres of internal streets; and
- 73-acre Oak Oval open space/habitat reserve.

An illustrative plan of the Veterans Cemetery, which shows the location of the Endowment Fund Opportunity Parcel, is included as [Exhibit E](#). An illustrative plan for the remainder of the Specific Plan area is included as [Exhibit F](#).

The Specific Plan includes a table of permitted uses in the categories of recreation, education, and public assembly; residential; medical services; public cultural facilities; public facilities;

religious; non-profit/service organizations; utilities; and commercial (Table 2.2, Permitted Uses). Adoption of the Specific Plan provides the tool for development consistent with the Specific Plan, but does not grant approval of development. All development within the Specific Plan area would be required to submit an appropriate application and be reviewed for consistency with the Specific Plan. Development review and application procedures are detailed in the Specific Plan, Section 8.3.3. This section identifies what types of applications are reviewed by the Board of Architectural review only, and which require review and approval by the Planning Commission and/or City Council. The Specific Plan has been previously distributed to the City Council and can be reviewed at the following link:

<http://seasidemontereydownsandveteranscemeteryspecificplan.com/>

Staff and Board of Architectural Review (BAR) Recommended Changes to the Specific Plan

The Board of Architectural Review reviewed the Specific Plan's architectural design guidelines, development standards, and landscape and grading standards on July 15, 2015 and again on August 17, 2016, and prepared recommendations to the Planning Commission and City Council.

Staff and the Board of Architectural Review are proposing modifications to the Specific Plan, which are presented in both detail and summary format as an [Exhibit B of Attachment 3, Ordinance to Adopt the Specific Plan](#). They consist of adding policies for consistency with the General Plan, clarifications, correcting typos, eliminating horse racing as an allowed use in the Specific Plan, changing the name of the Specific Plan, increasing the tree replacement requirements by 10% from a ratio of 1:1 to 1:1.1, modifications to street design, modifications to building setbacks and building separation, and changes to height limits, among others. Specific recommended changes follow the summary. The minutes from the August 17, 2016 BAR meeting are provided as [Exhibit G](#).

Zoning Ordinance Amendment

Title 17 of the Seaside Municipal Code (Seaside Zoning Ordinance) is proposed to be amended to change the 149 acres currently in the Seaside city limits from High Density Residential and Parks and Open Space (Veterans Cemetery) to "Monterey Downs Specific Plan". The Specific Plan would effectively become the zoning ordinance for development pursuant to the Specific Plan. Amendments to the Zoning Ordinance include both map and text amendments, and are presented in [Attachment 4, Ordinance to Amend Title 17 of the Seaside Municipal Code](#). The remainder of the Specific Plan area would require rezoning prior to annexation. The annexation and prezone applications will be considered by the Planning Commission and City Council at a later date.

It should be noted that the General Plan Amendment Resolution, the Specific Plan Adoption Ordinance, and the Zone Text and Map Amendment Ordinance are each contingent upon annexation to the City of the Specific Plan Areas that are currently outside of the City's boundaries, and would become effective only at the time the annexation process is completed.

ENVIRONMENTAL REVIEW

Fort Ord Reuse Plan Program EIR

The Fort Ord Reuse Authority (FORA) adopted the Fort Ord Base Reuse Plan (BRP) in June 1997 to provide a framework for reuse of the former U.S. Army base. In accordance with the California Environmental Quality Act (CEQA), the Fort Ord Reuse Plan [Program] Environmental Impact Report (BRP PEIR) (SCH #96013022) was prepared to consider the potential environmental impacts that would result from implementation of the BRP. The BRP PEIR was certified by FORA on June 13, 1997.

The Project site is part of the larger approximately 27,964 acre Fort Ord BRP study area. To avoid repetition, a lead agency may “tier” EIRs for a sequence of actions so that the later EIRs incorporate and build on the information in the previous EIRs (PRC Sections 21068.5 and 21093, and CEQA Guidelines Section 15152).

Once a first-tier EIR, such as the BRP PEIR, has been certified for a program, plan, policy, or ordinance, the significant environmental effects of a later plan or policy of lesser scope or a later development project must be examined using a tiered EIR (PRC Section 21094(a)).

The second-tier EIR, here the Subsequent EIR for the Project, is limited to significant environmental effects that were (1) not examined in the BRP PEIR, or (2) previously examined and that are susceptible to substantial reduction or avoidance through project revisions, mitigation measures, or other means (PRC Section 21068.5 and CEQA Guidelines Section 15152(d)).

Additionally, CEQA Guidelines Section 15229(c) states “All public and private activities taken pursuant to or in furtherance of a reuse plan for which an EIR was prepared and certified pursuant to this section shall be deemed to be a single project. A subsequent or supplemental EIR shall be required only if the lead agency determines that any of the circumstances described in Section 15162 or 15163 exist.” The City of Seaside determined that subsequent environmental review was necessary to address the specific impacts of the proposed Project due to substantial changes in the Project, which would require major revisions of the previous EIR (as is discussed on DSEIR page 2-22, regarding the East Garrison – Parker Flats land use modifications) and the substantial changes that may have occurred with respect to the circumstances under which the Project would be undertaken including, but not limited to, various changes in the environmental and/or regulatory setting over the years. The BRP was certified in 1997, and the City of Seaside determined that the 1997 BRP EIR alone was not sufficient for the proposed Project’s CEQA compliance.

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan Subsequent EIR

The City prepared a subsequent environmental impact report (SEIR), pursuant to the California Environmental Quality Act (CEQA), to evaluate the proposed project’s environmental impacts. The Draft SEIR (DSEIR) was circulated for public review from March 31, 2015 through June 19, 2015. The DSEIR was previously distributed to the City Council and can be accessed by the following link:

<http://seasidemontereydownsandveteranscemeteryspecificplan.com/>

A Final SEIR (FSEIR), responding to public comments and making minor modifications to the DSEIR, was prepared in July 2016 and was previously distributed to the City Council. It can be accessed by the following link:

<http://seasidemontereydownsandveteranscemeteryspecificplan.com/>

The DSEIR and the FSEIR, along with the BRP PEIR, constitute the project review pursuant to CEQA.

The main purpose for preparation of the SEIR was to (1) disclose to the public detailed information regarding the environmental impacts associated with the proposed Project (a part of the BRP) and (2) provide the public all of the opportunities afforded to them with preparation of an EIR. When approving projects subject to an EIR, the City must make certain findings regarding the project's environmental impacts.

Significant and Unavoidable Impacts

The final subsequent EIR concluded that buildout of the project would result in the following significant and unavoidable impacts (i.e. impacts that cannot be mitigated to a less than significant level):

- Long-term change to the visual character of the project site;
- Long-term impacts on air quality;
- Loss of 315 acres of coast live oak woodland;
- Loss of approximately 53 landmark oak trees;
- Generation of significant greenhouse gas emissions;
- Depletion of groundwater supplies and existing water supply that is not sufficient for Specific Plan build out; and
- Potentially unacceptable traffic levels of service at some intersections, roadway segments, mainline State Route 1 segments, and State Route 1 on-ramps.

If the City Council certifies the subsequent EIR and decides to adopt the Specific Plan, the City Council would need to adopt a Statement of Overriding Considerations finding that the benefits of the project outweigh the significant adverse environmental impacts. A draft Statement of Overriding Considerations for the Council to consider is included in [Exhibit D of Attachment 1, Resolution to Certify the SEIR](#).

CONSISTENCY WITH THE SEASIDE GENERAL PLAN AND THE FORT ORD BASE REUSE PLAN

Consistency with the General Plan

The Specific Plan was evaluated for its consistency with relevant General Plan policies. The analysis is presented in [Exhibit B of Attachment 2, Resolution to Amend the Seaside General](#)

[Plan](#). The analysis concludes that the Specific Plan is generally consistent with the relevant General Plan policies.

Consistency with the Base Reuse Plan

The Specific Plan was evaluated for its consistency with the Fort Ord Base Reuse Plan, using the FORA Consistency Determination Analysis Table. A draft of that analysis is presented in [Exhibit H](#). The draft analysis concludes that the Specific Plan is generally consistent with the Base Reuse Plan.

PLANNING COMMISSION RECOMMENDATION

On September 21, 2016, the Seaside Planning Commission considered and by a 3 – 2 vote of the members present, adopted resolutions recommending that the City Council:

1. Certify the SEIR, make findings pursuant to CEQA, adopt a Mitigation Monitoring Program, and adopt a Statement of Overriding Considerations;
2. Approve the General Plan Amendment and adopt the Specific Plan; and
3. Approve the Amendment to Title 17 of the Seaside Municipal Code.

The meeting minutes are included as [Exhibit I](#).

STUDY SESSION

The City Council held a study session meeting on September 29, 2016, which was continued on October 5, 2016, in order to hear a staff presentation of the Project and Subsequent Environmental Impact Report, the Project Applicant's presentation, and comments from the public. During the study session, the Council had the opportunity to ask staff and the environmental consultant questions regarding the Project and SEIR. Most questions that were asked on September 29th were answered either at that study session, or at the continued study session on October 5th. Remaining questions will be answered at the October 13, 2016 hearing.

At the study session, Council requested the following additional documentation:

- data regarding the need for equine training tracks. [Exhibit J](#) includes the results of a survey conducted by the American Horse Publications;
- list of possible County projects that may require water allocation. [Exhibit K](#) includes a list provided by the County, which was included in a September 28, 2015 board report;
- the 1993 agreement between the Army and the County regarding annexation of Fort Ord into Zones 2 and 2A of the Monterey County Water Resources Agency, included as [Exhibit L](#);
- the 2005 East Garrison – Parker Flats Land Use Modification MOU, included as [Exhibit M](#);
- Current assumptions in the FORA Capital Improvement Program regarding the Eastside Parkway. [Exhibit N](#) presents the 2016-2017 Capital Improvement Program adopted by the FORA board on July 8, 2016. It identified the top two priorities set by the Board as Eastside Parkway and South Boundary Road (pages 5 and A1). Table 1, Obligatory Project Offsets and Remaining Obligation, identifies the Eastside Parkway (Project

#FO13B) as a two-lane arterial from Eucalyptus Road to Parker Flats cut-off to Schoonover Drive. The table shows the TAMC Reallocation Study (2005) identified the cost as \$12,536,370 and is FORA's responsibility. FORA offsets (2005-2016) is identified as \$510,000 with the FORA Remaining Obligation Indexed at \$18,198,908.

FISCAL IMPACT OF SPECIFIC PLAN BUILDOUT

The applicant submitted the *Monterey Downs Fiscal and Economic Impact Analysis Final Draft Report* (August 2015) (the "Report"). This Report can be accessed by the following link:

<http://seasidemontereydownsandveteranscemeteryspecificplan.com/>

The fiscal analysis is an estimation of the project's net impact on the City's general fund. The economic analysis is an estimate of the new expenditures that will occur in the City as a result of the development of the project.

The Report projected the net fiscal impact to the City's general fund in six phases, under the following three scenarios for providing fire services: 1) Presidio Fire Station Alternative (current conditions) (\$1.36 million); 2) Monterey Regional Fire Alternative (\$1.93 million); and 3) New Seaside Fire Station Alternative (\$0.7 million).

The Report projected the economic impact during the project construction period at \$261.1 million, and \$26 million annually after the end of the construction period.

EPS, the City's consultant, conducted additional fiscal "sensitivity" analysis to present what may occur using other assumptions. The sensitivity analysis can be accessed by the following link: <http://seasidemontereydownsandveteranscemeteryspecificplan.com/>. EPS's analysis included the following scenarios:

- no hotels;
- only one hotel;
- reduced assessed property values;
- FORA extension beyond 2020;
- tax sharing with County of Monterey; and
- accelerated provision of public safety services.

EPS also conducted additional economic "sensitivity" analysis to present how the economics may change with a decrease in the projected visitors to the Monterey Horse Park. Each of these sensitivity scenarios provides a "what if" for the City Council to consider the fiscal and economic impacts of the proposed project.

On March 3, 2016, the City Council reviewed the Report and sensitivity analysis, took public comment, and accepted the Report and sensitivity analysis as presented.

In addition, if the City Council were to adopt the General Plan Amendment, Specific Plan and Zoning amendments, staff has incorporated a requirement that the Applicant enter into an

indemnification agreement with the City within 45 days of the adoption of the General Plan Amendment Resolution, and before the effective date of either the Specific Plan Ordinance or the Zone Text and Map Amendment ordinance.

FUTURE ACTIONS

The following actions would be required prior to the City of Seaside issuing building permits for development within the Specific Plan area:

1. Amend the City of Seaside Sphere of Influence (SOI 12-01). This would include entering into a pre-sphere-of-influence agreement with the County of Monterey regarding the disposition of land and allocation of water, as well as a tax-sharing agreement to determine how taxes would be shared between the City and the County. Both of these agreements are required by the Monterey County Local Agency Formation Commission (LAFCO).
2. Approve annexation and rezoning of 562.50 acres of the Specific Plan area into the Seaside city limits (ANX 12-01; PZ 12-01).
3. Approve a Disposition and Development Agreement (DDA) with Monterey Downs, LLC.
4. FORA Board Consistency Determination.
5. Monterey County LAFCO approval of the sphere-of-influence amendment, rezoning, and annexation.
6. Approve development applications (subdivision maps, use permits, minor use permit, etc.).
7. Approve grading and building permits.

The process for development applications is presented in the Specific Plan in Section 8.3.1, Tentative Map Review and in Section 8.3.3, Development Review and Application Procedures. Development projects pursuant to the Specific Plan that the Planning Department determines to be in conformance with the provisions of the Specific Plan, will be reviewed by the BAR to take action on the site plan and design elements of the submittal. If the Planning Department determines that the development project is not in conformance with the Specific Plan, the application would require approval by the Planning Commission.

Vesting development rights are not granted to the applicant by the City's adoption of the Specific Plan, General Plan Amendment, or Zoning Amendment; however, vested rights would accompany the requested vesting tentative tract map, should it be approved. The vesting tentative tract map will be studied by the Planning Commission and City Council and considered at a later date.

ATTACHMENTS

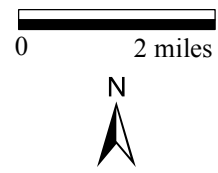
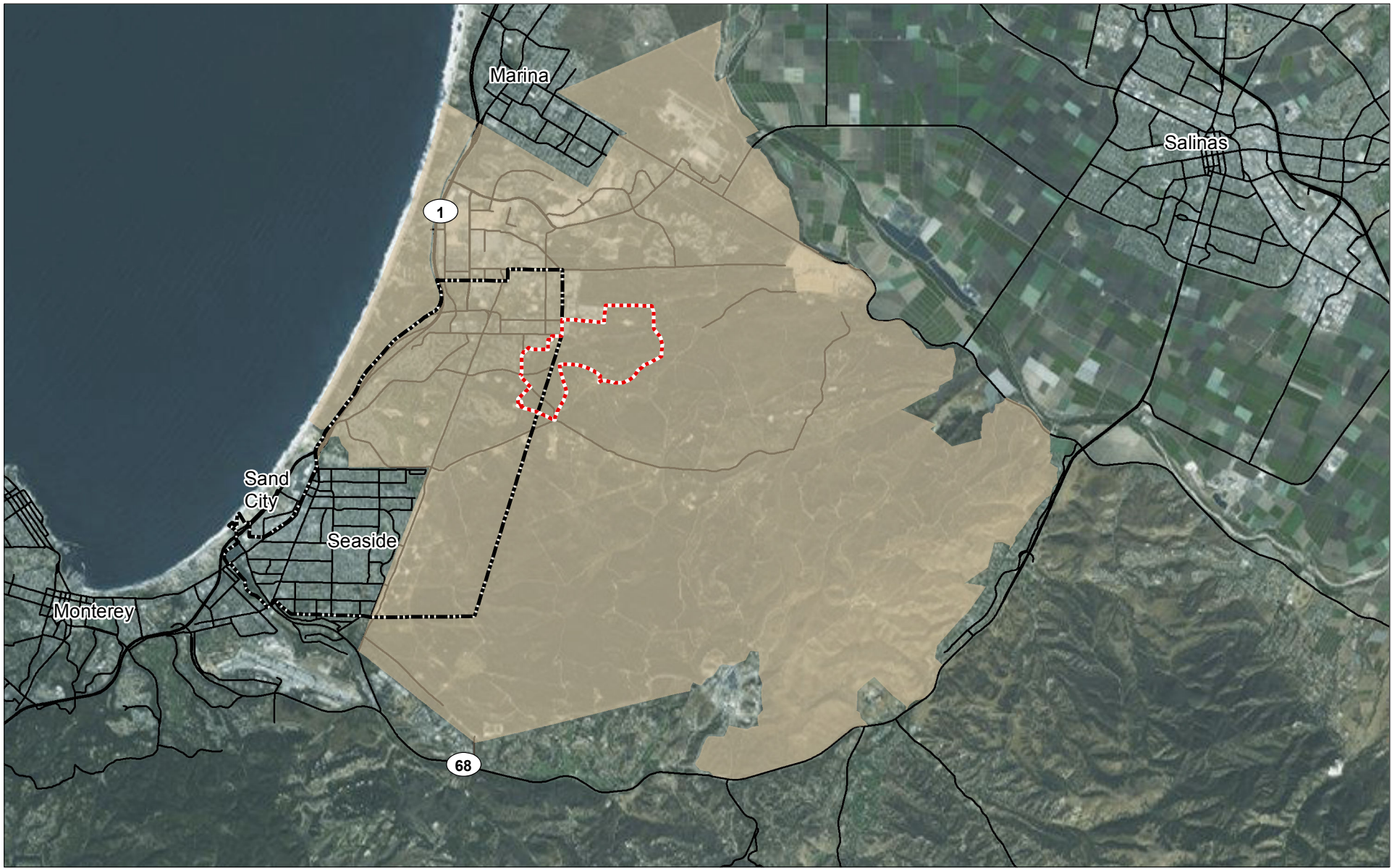
1. Exhibit A. Project Location
 2. Exhibit B. Surrounding Land Uses
-

3. Exhibit C. Base Reuse Plan Land Use Concept (as modified by the Seaside General Plan and the East Garrison/Parker Flats Land Use Modification MOU)
 4. Exhibit D. Specific Plan Land Use Map
 5. Exhibit E. Veterans Cemetery Illustrative Plan with Endowment Parcel
 6. Exhibit F. Specific Plan Illustrative Plan
 7. Exhibit G. Board of Architectural Review Meeting Minutes from August 17, 2016
 8. Exhibit H. Fort Ord Base Reuse Plan Draft Consistency Analysis
 9. Exhibit I. Planning Commission Meeting Minutes from September 21, 2016
 10. Exhibit J. 2015 American Horse Publications Equine Industry Survey
 11. Exhibit K. Table from County Water Allocation
 12. Exhibit L. 1993 agreement between the Army and the County regarding annexation of Fort Ord into Zones 2 and 2A of the Monterey County Water Resources
 13. Attachment 1. Resolution to Certify the SEIR
 14. Exhibit A: Appendix to the Final SEIR
 15. Exhibit B: CEQA Findings
 16. Exhibit C: Mitigation Monitoring and Reporting Program
 17. Exhibit D: Statement of Overriding Considerations
 18. Attachment 2. Resolution to Amend the Seaside General Plan
 19. Exhibit A: General Plan Map and Text Amendment
 20. Exhibit B: General Plan Consistency Analysis
 21. Attachment 3. Ordinance to Adopt the Specific Plan
 22. Exhibit A: Specific Plan
 23. Exhibit B: Revisions to the Specific Plan
 24. Attachment 4. Ordinance to Amend Title 17 of the Seaside Municipal Code
 25. Exhibit A: Title 17 Map Amendment
-

Reviewed for Submission to the
City Council by:

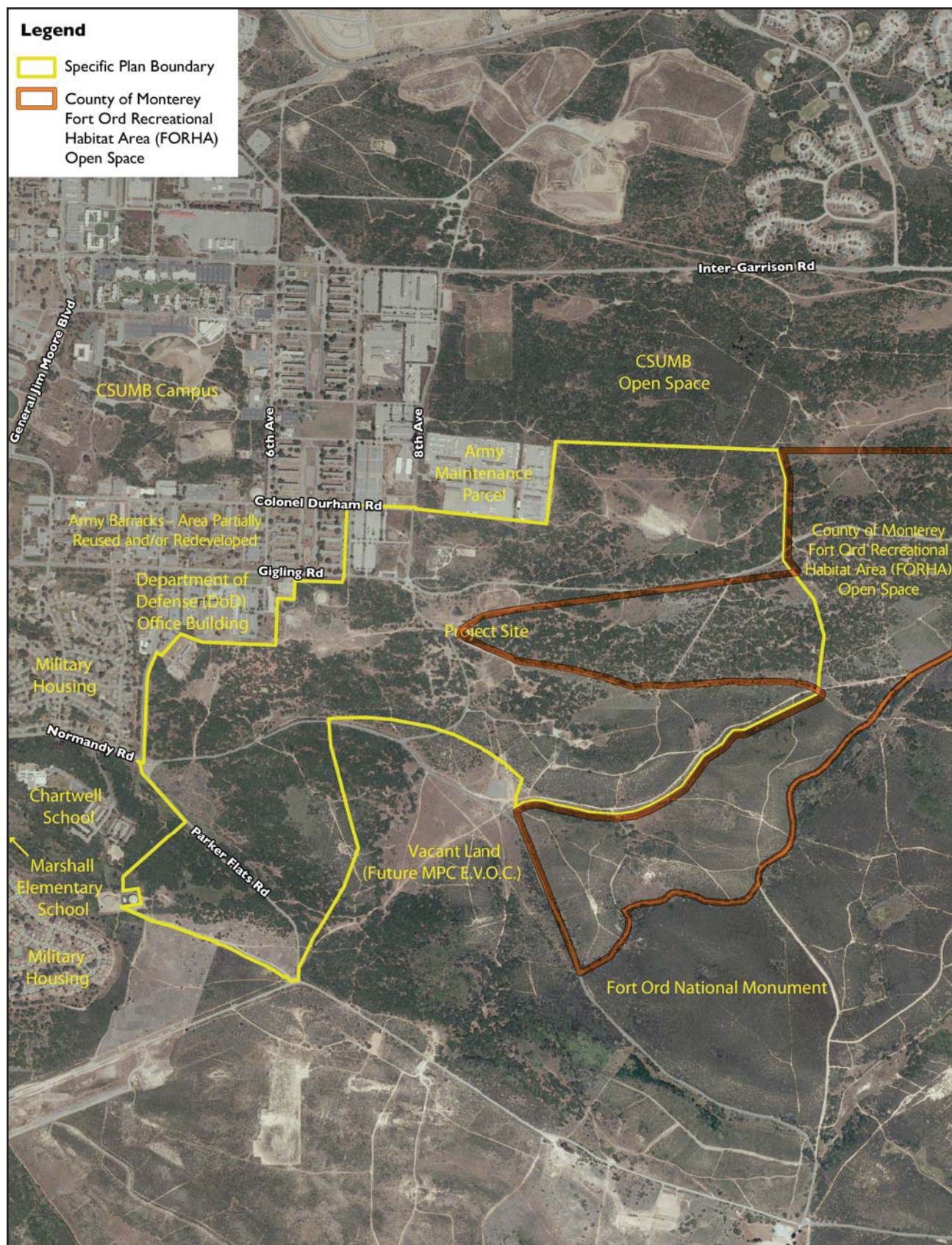


Craig Malin, City Manager



-  Monterey Downs Specific Plan Boundary
-  Seaside City Limits
-  Fort Ord Area

Source: FORA, Monterey County GIS, ESRI



Source: Diamond West, 2013.

NOT TO SCALE

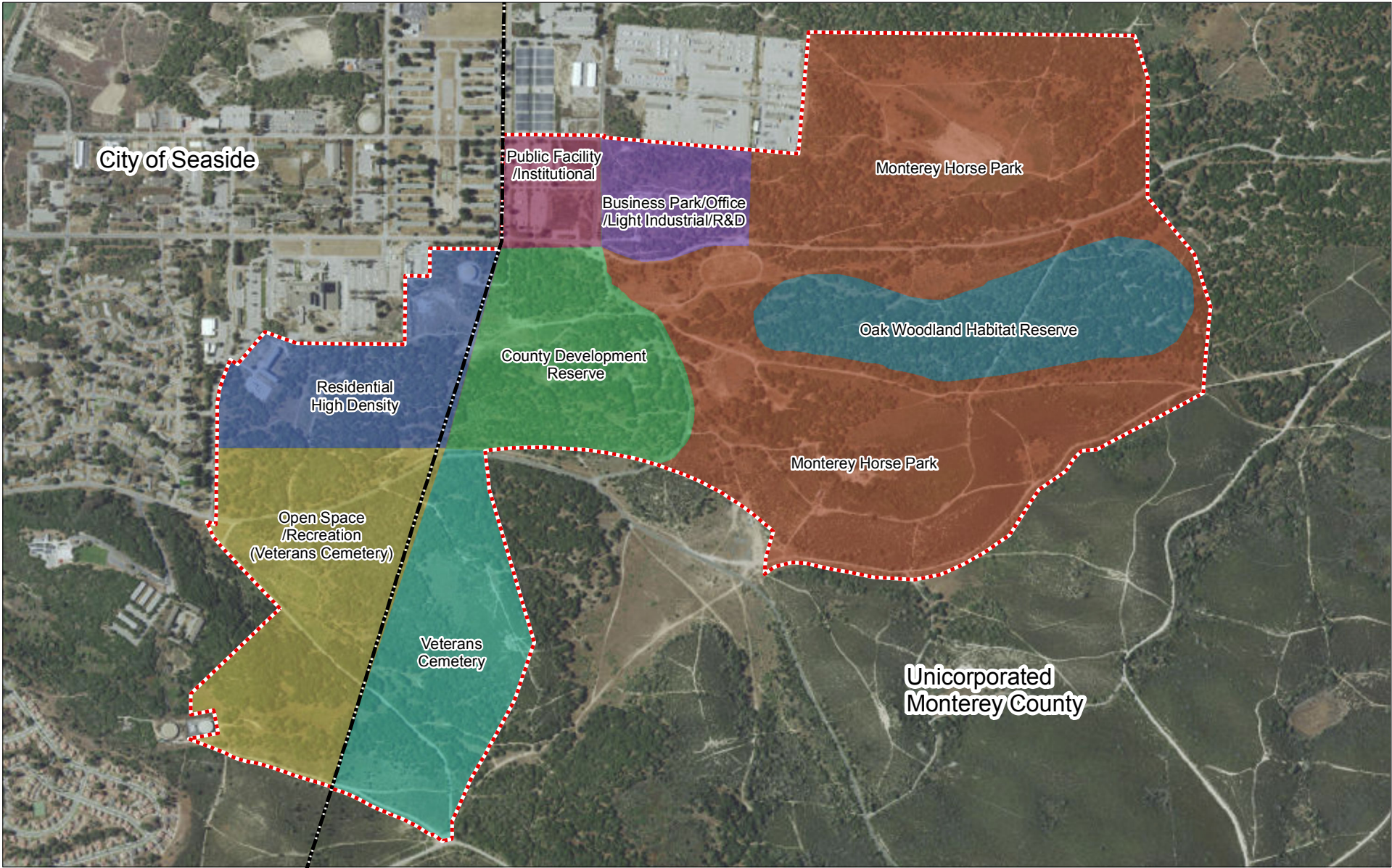


03/15 • JN 131360

MONTEREY DOWNS AND MONTEREY HORSE PARK AND
CENTRAL COAST VETERANS CEMETERY SPECIFIC PLAN
SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

Surrounding Land Uses

Figure 2-12



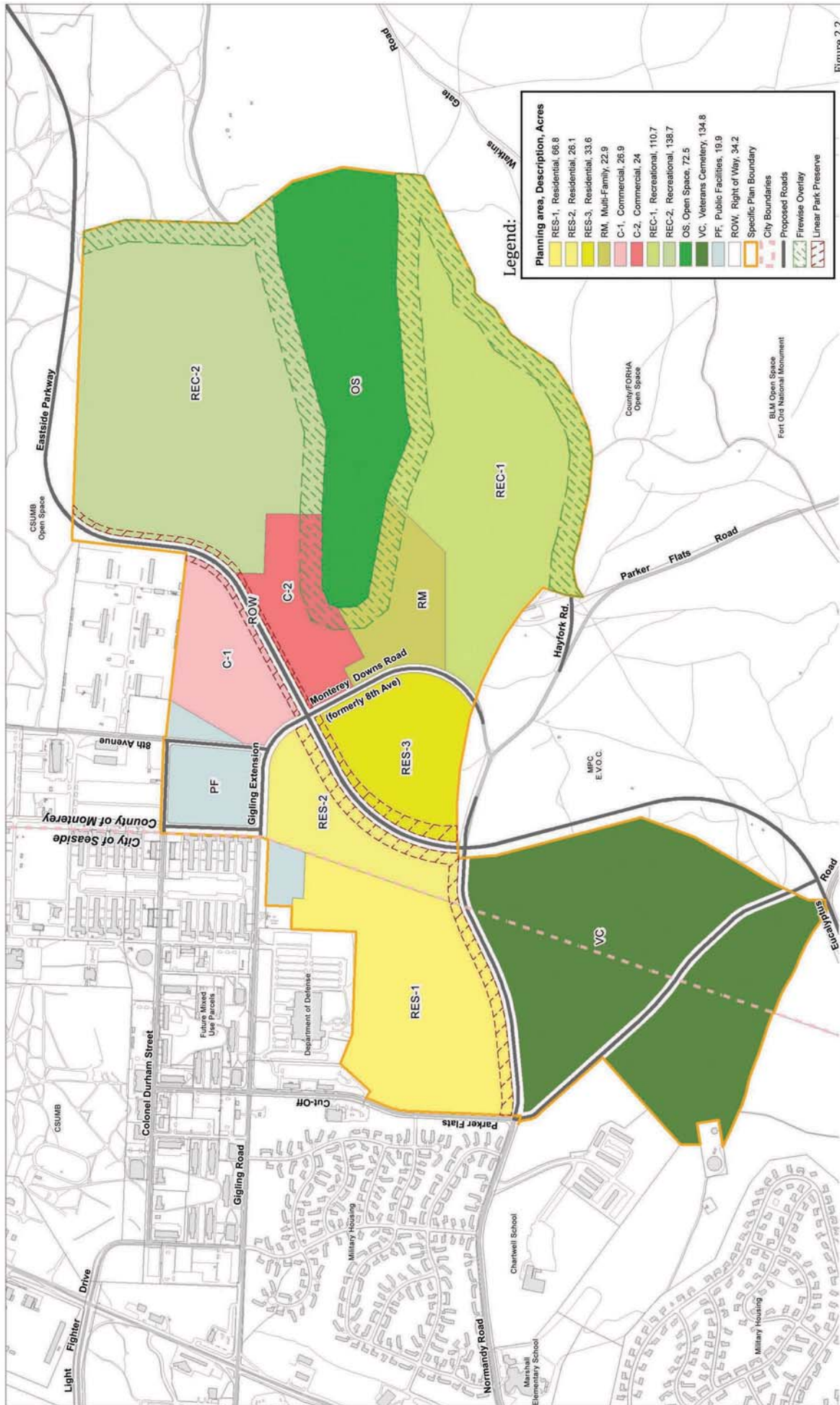


Figure 2.2



MONTEREY DOWNS & MONTEREY HORSE PARK & C.C.V.C. Specific Plan



0 400 800 1,600 Feet

Land Use Map

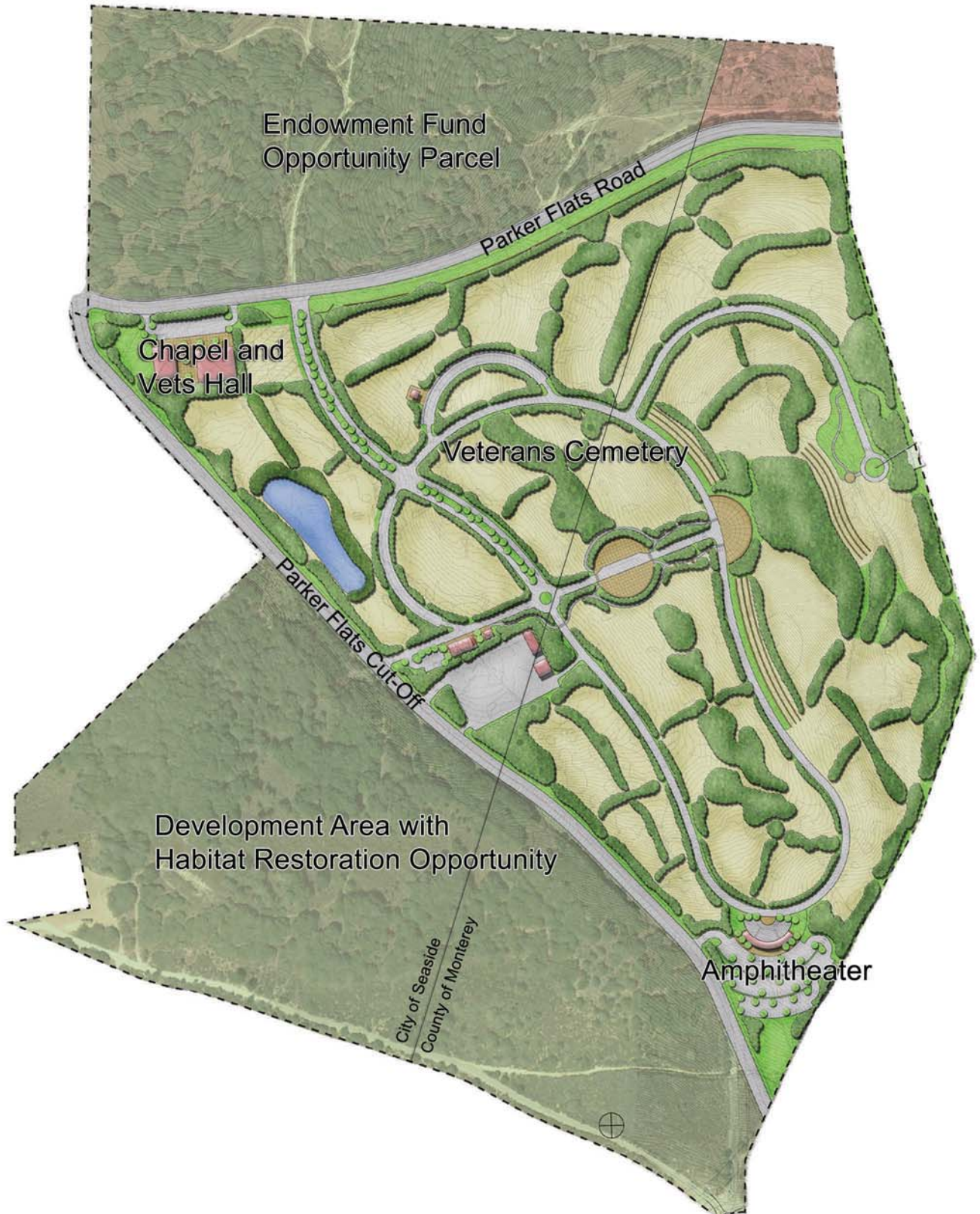


Figure 2.1



DW
DIAMOND WEST

Packet Page 20



DRAFT MINUTES

CITY OF SEASIDE
BOARD OF ARCHITECTURAL
REVIEW

REGULAR MEETING
COUNCIL CHAMBER

Wednesday, August 17, 2016
5:30 PM

1. **CALL TO ORDER**

The meeting was called to order at :

2. **ROLL CALL - ESTABLISHMENT OF QUORUM**

PRESENT: Keller, Khalsa, Ventimiglia

ABSENT: Mori, Rudisill

BOARD OF ARCHITECTURAL REVIEW

3. **REVIEW OF AGENDA**

No changes were requested.

4. **ORAL COMMUNICATION**

Chair Keller invited comments from the public.

- Peter Keiser questioned the status of the quorum, and his request to keep Seaside standards to maintain one story homes. He made a comment regarding item number three, and requested that developments at Fort Ord target developed areas first and the open space secondary. He closed by requesting there be no gambling or horse racing in the future developments.

5. **APPROVAL OF MINUTES**

A. **REGULAR MEETING MINUTES OF MAY 4, 2016 AND JULY 6, 2016**

On motion by Board Member Ventimiglia and seconded by Board Member Khalsa and passed by the following vote the Board approved the minutes as presented.

RESULT:	Approved
MOVER:	Board Member Kathleen Ventimiglia
SECONDER:	Board Member Bani Khalsa
AYES:	Kathleen Ventimiglia, Toby Keller, Bani Khalsa
ABSENT:	Mitsugu Mori, Ken Rudisill

6. **BUSINESS ITEMS**

A. **ARCHITECTURAL REVIEW APPLICATION NO. BAR-16-05. Art Sampognero (Property Owner) and Enrique Eckhaus, (Applicant) are requesting approval of a roof mounted structure to screen mechanical equipment at 1482 Fremont Boulevard, located in the Community Commercial (CC) Zoning District.**

Planner Bob Larson presented the staff report. Mr. Larsen stated that the project is located on Fremont Blvd and the applicant is requesting approval of a roof mounted structure to screen mechanical equipment. The applicant will be adding an outdoor condenser for refrigeration inside the building and desires to shield it aesthetically. Mr Larsen spoke to the details of the parcel including the fact that the outdoor equipment must be screened to the satisfaction of the BAR. He spoke to the materials to be used to screen the equipment and reported that the design meets all applicable design and noise standards and is categorically exempt from the California Environmental Quality Act. Therefore staff recommend approval, subject to standard conditions. Mr. Larsen answered questions from the Board.

Chair Keller questioned if the structure could be located on the back side of the facility as an alternative location. As proposed it would be in full view of the residences. The applicant was not present to answer.

Chair Keller invited comments from the public and had no requests to speak.

Mr. Keller requested to continue the project to the next meeting to be able to ask the applicant clarifying questions.

On motion by Board Member Ventimiglia and seconded by Board Member Khalsa and passed by the following vote the Board continued the item to the next meeting requesting the applicant be present to discuss and determine consistency alternatives.

RESULT:	Tabled
MOVER:	Board Member Kathleen Ventimiglia
SECONDER:	Board Member Bani Khalsa
AYES:	Kathleen Ventimiglia, Toby Keller, Bani Khalsa
ABSENT:	Mitsugu Mori, Ken Rudisill

B. SIGN PERMIT APPLICATION NO. MSP-16-03. Joseph Cardinale (Property Owner) and Cardinale Nissan, (Applicant) are requesting approval of a new wall sign in conjunction with the approval of a Master Sign Program for an existing Nissan automobile dealership located at 1661 Del Monte Boulevard, in the Automotive Regional Commercial (CA) Zoning District.

Associate Planner Bob Larsen presented the staff report requesting approval of a new wall sign for an existing business at 1660 Del Monte Boulevard. Mr. Larsen explained, that the existing Nissan Car dealership currently has five wall signs on the building and are requesting a sixth. There was no master sign plan established, so this application would establish a master sign plan for the car dealership. Staff analysis concurred that the sign request is supported by the design standards for new signs located with a new car dealership and the overall signage is less than the 150 maximum allowed under the commercial sign standards. He noted an additional planning condition was added to allow for subsequent signs to be reviewed and approved by the zoning administrator when a Master Sign Program has been approved. Staff recommended approval of the new sign as submitted. The Board questioned the applicant on details of the new sign location and height as compared to the other existing wall signs. Board Member Ventimiglia expressed concern that the size of the letters are not proportional to what is existing on the other elevations and requested that the letters to be consistent with the existing wall signs.

Chair Keller invited comments from the public and had no requests to speak

On motion by Board Member Ventimiglia and seconded by Board Member Bani Khalsa and passed by the following vote, the Board approved the Master Sign Program and the sign permit application with the exception that the letters be 18 inches rather than 24 inches as proposed and mounted to the left side of the building surface.

RESULT:	Approved
---------	-----------------

MOVER:	Board Member Kathleen Ventimiglia
SECONDER:	Board Member Bani Khalsa
AYES:	Kathleen Ventimiglia, Toby Keller, Bani Khalsa
ABSENT:	Mitsugu Mori, Ken Rudisill

Chair Keller noted that any appeal must be submitted within 7 calendar days.

C. SPECIFIC PLAN APPLICATION #SPL12-01. The Board of Architectural Review will hold a public hearing to provide the City of Seaside Planning Commission and City of Seaside City Council with a recommendation on the proposed architectural guidelines, development standards and landscaping for the proposed Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan.

Consultant Terri Wissler, contract planner for the City of Seaside, presented the item noting this is a continuation of the item that was presented originally to the Board on July 15, 2015. She indicated that the goal of the item was for the Board to review the development standards and guidelines contained in the Specific Plan for the Monterey Downs project and make recommendations to the Planning Commission and City Council for their independent review of the Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan. Ms. Wissler then detailed the project explaining the project site with aerial photo and boundary map, spoke to the draft specific plan which allows for 400 multifamily homes, including student apartments, 880 single family homes, 256 worker lodging units, 53,500 ft. square commercial and retail including two 200 room hotels. The project also included a non-profit equestrian park (Monterey Horse Park) outdoor equestrian race track and sports arena, and public facilities including City Corporation yard and fire station. She noted that the applicant and representatives were available for questions.

Senior Planner Rick Medina then spoke to the draft specific plan elements and detailed the architectural guidelines for the Specific Plan describing the four element areas, outlined the phasing plan and the different architectural styles that would be used for the different residential and commercial areas. Mr. Medina informed the Board and public of the development standards and the proposed standards for residential, commercial and mixed use, recreational, landscape and streetscape, pedestrian access and street planting. He further detailed the parks planned and the pedestrian access ways through the neighborhood. Mr. Medina spoke to comments that were made during the July 2015 meeting whereby each development phase would have their own urban design program.. He spoke to concerns raised with courtyard/cluster housing development, lot sizes and the specific design amenities which would be added to the residential and commercial structures. The applicant has agreed with side setbacks at a minimum of 3.5' with 5' setbacks on the opposite side. If a setback is small on one side, the other side there would be a larger alternating setback of 7' on one side and 10' on the other side. Current City of Seaside setbacks is 5' on each side. The R1 section, smaller homes will have smaller setbacks and get larger as you progress toward the commercial.

Mr. Medina answered questions from the Board. Chair Keller clarified that the setback sizes are based on the lot sizes to which Mr. Medina agreed. The Board discussed the setback requirements from the curb to front of the house and requested clarification on the use of a 10-foot front yard setback. Mr. Medina explained there would be a 5' side walk with a 2' landscape utility area where the property line would then begin. The setback would be measured 10' from the main property line for a total of 18'. The garages would be setback the back of sidewalk by 20 feet so cars will not be intruding onto the sidewalk. The board confirmed that is ok at 20 feet.

The Board questioned if the design specifics would be carried out on all sides of the dwelling to which staff indicated that all designs would carry to the sides and if at the request of the board, would continue to the back. Corner lots would have a special facade including window treatments for corner lots. The Board questioned provisions of solar access and the response was the applicant

would not preclude solar access and will put it into the Urban Design Programs for each phase.

Next Ms. Ventimiglia inquired about bike and pedestrian connections to areas within Seaside proper, Marina and CSUMB to which staff said there are trails throughout the specific plan. Mr. Medina addressed this concern by citing that access ways and spines through the development, and that Imjin parkway would have trails that would connect to Seaside proper. The Specific plan includes a bike lane and trails plan that has class 1 and 3 bike ways and neighborhood trails. Dustin Wormer from Diamond West, answered questions, stating figure 3.4 A should answer the question on trail locations and their connection to the adjoining areas in Seaside, Marian and CSUMB. Mr. Wormer stated that on Figure 3.4.a if the trail is dashed it is planned, if it is existing today, it is a solid line. The primary northern connection on Giggling and 8th is planned for the future. The Giggling long term plan was to have a bike plan, built by FORA, and this would make connections to the project. Board Member Ventimiglia questioned if this plan has been incorporated with the FORTAG trails plan and Mr. Wormer stated that the trail system is supposed to go within the FORMA open space that connects with the Bureau of Land Management trails. Staff indicated FORTAG has not been overlaid with this specific plan. Beth Palmer, Development representative, has given the site plan to the FORTAG organization and has met with them to encourage incorporation within their planned trail system.

Next Chair Keller questioned the responsibility of property maintenance to which staff responded it would be maintained by the HOA, similar to the Seaside Highlands development, to include maintenance of green belts as well. Painting is not included, however, there are requirements to allow for flexible color selections, but each person is required to maintain their own house.

Ms. Ventimiglia questioned if the whole project was subject to the RUDG to which Mr. Medina responded RUDG only applies to certain portions of Fort Ord, it addresses towns and villages, gateway locations and regional circulation. None of the applicable parcels are associated with the project, except the Gateway project at 8th.

In recapping the designs the Board agreed the designs will promote a mix of transitional and contemporary styles with variation and encourages development of articulation, varying lot sizes and the smaller lot sizes allow for additional land to be allocated for open space including trails and other amenities. Commercial findings, the variation for design and differentiation of uses allow and provide for diversity and other elements to be incorporated into the project.

Board Member Ventimiglia questioned the residential garages, and if they are all facing the street, and if the housing lines would be staggered or if the designs allow articulation at the street edge so that there is less uniformity. Mr. Wormer indicated there is curvature in the street as well as opportunity to vary setbacks for articulation but all of that can be determined during the approval of the urban design program for each development phase. Mr. Wormer also confirmed the developer is planning to fence all of the property lines.

Chair Keller requested confirmation on the average size of the back yard of the small lots to which staff responded 10 ft. minimum, but most are to be in the 12 to 15 foot range and there is a condition that there is a minimum 15'x15' space in the rear yard. Mr. Keller then questioned the three story cluster homes requesting that it will not adjoin next to a residential area to make sure a three story does not over-look a two story house.

Board Member Ventimiglia requested to discuss the aspects of the commercial and arena areas, including height and grade impacts, arrangements, hotel aspect and more. Mr. Medina indicated that 6.2 of the Specific Plan outlines the development standards for the commercial section and indicated it does not conflict with the current zoning code.

The Board continued to question specific design elements including the width of all sidewalks being

5' wide, that the curbs are rolled curbs throughout the project site, access to the National Monument and the amenities available at the trail heads. On question, Mr. Medina clarified the setbacks on the parking structures - in C1 and C2 are 10' minimum on major thorough fares and 5' on private streets.

Chair Keller invited comments from the public.

- Bill Weigle encouraged the Board not to make any recommendations indicating that not all the Board members were present and there are things that not have yet been discussed, specifically the race track. He expressed concern that the housing is within 100 feet of the race track and the proximity of the houses to the arena and the traffic impacts that it will create for residents. He expressed frustration with the phasing program and that not all phases were discussed individually and the impacts of each phase on each other. He encouraged continuing the item.

The Board deliberated and discussed potential recommendations, considering what is under their jurisdiction including setback requirements and design guidelines. Chair Keller requested clarification regarding the phase 7 and questioned the workforce lodging for events and primarily of the workers for the training track. Consultant Dustin Wormer responded that the intention is to be a hotel format, furnished for shorter periods of living. Board Member Ventimiglia clarified if the grandstand was part of the guidelines to which Mr. Medina affirmed citing it has a height of 100' for the structure and including all accessory design features to a maximum of 150' in height. Applicant Beth Palmer also commented that the required clean up that has to be done will be changing the topography to get it ready for the development and that the structure may not be that tall in the end. The intent is to be approximately 100' to allow for the capacity of seating. She also clarified on the work force housing that the principal style in the horse racing and training industry is for the worker to follow the horses when they move to a different meet, similar to local agricultural housing. The priority and intent is to not restrict ownership or use and it would be controlled by a property manager.

Chair Keller reiterated that the jurisdiction of the Board is to discuss general guidelines and any architectural guidelines that we want the project to incorporate.

Board Member Ventimiglia questioned the parking availability and asking if the general areas are accounting for parking for the events and if they comply with current parking regulations. Mr. Medina responded that the standards are new for the Specific Plan, as the city code does not have any regulations for parking for arenas or similar developments. Ms. Wissler spoke to the special events component addressed in the EIR which has mitigation for the parking management plan.

Chair Keller questioned the phasing issues and the approval of the phases. Ms. Wissler, said that you typically have approvals requested at the time of the Specific Plan. Because it is a 10-year build out, the applicant identified what they thought the phases would be, based on existing infrastructure. In the draft Specific Plan, the hotel is in later phases, but staff will recommend moving one hotel into the first phase of the development, but that does not mean it will move into a new location. Board Member Ventimiglia questioned the presentation of the phases to the board to which Ms. Wissler indicated they may not be presented in order of the Specific Plan. Chair Keller questioned if the infrastructure components to be seen, as an overall plan to be able to make appropriate decisions for the full phasing, to ensure that the plans align and there is consistency, otherwise they are making decisions with incomplete information. Staff concurred that if the proposed phase will have impacts outside of the designated development phase, that those impacts will be included in the phase requirements.

Board Member Ventimiglia questioned if development impact fees were going to be collected, specifically determining when the parkway will be built to which Ms. Wissler affirmed at the time

the building permits are issued and the FORA fee is paid and until then, surface streets will be used to access the project site.

Chair Keller opened public comment again for additional comments regarding architectural features for recommendation.

- Christine Montief understands concerns regarding setbacks and usage of space. She spoke to the setback requirements and design guidelines in Pacific Grove and speaking as a realtor indicated some residents don't always desire significant outdoor space. The current design is a better carbon footprint. She spoke in support of the design.
- Bill Weigle commented on the question of topography, and to the topographical rearrangement that will have to occur for the development as proposed expressing concern a complete ridge would need to be removed for the arena and grandstand areas so that it would be seen from everywhere in the peninsula. He said it would be helpful to request a topographic map of pre and post grading prior to making a decision. He was frustrated that people were not fully prepared for the meeting.
- Kay Cline spoke to the enormity of the project and questioned the infrastructure of housing and hotels in different areas and how will they be connected. She expressed concern with the height of the grand stand as it will be dwarfing to all structures and uses around it and spoke to it being the first time that residential sections were referred to as college housing.
- Darrel Donnely spoke to living in Del Mar, CA, for over 35 years and eventually became land locked trying to get to locations during horse racing and special events. They moved to the area looking for a better quality of life, and are personally concerned about the quality of life impacts of the venue.
- Steve Bloomer spoke in support of the work of the Board and thanked them for their efforts to make good decisions. He spoke in support of the project requesting the Board take a global look, and review it as an architectural document.

Public Comment was closed.

Chair Keller indicated that for residential style his preference would be the bungalow preference. Board Member Ventimiglia spoke against the farmhouse style vision of the garages and driveways believing all the other elements will be lost. The Board discussed the preferences of each of the housing styles and questioned the mix of each of the styles. Board Member Ventimiglia expressed concern of the volume of each of the buildings and discouraged as much two story volumes with no undulation between the homes. Also previously discussed, she reiterated the need for the back and forth undulation so that it's not so linear on the street line setback.

Chair Keller recommend that it be added to the Urban Design Guidelines to include cross section and elevation diagrams to get a better understanding of the volume of spaces, to get a better cross section between the phases and different uses to have a visual understanding. Board Member Ventimiglia also requested a full site section, to outline the maximum heights and differences for the total project and a building view height, which can be included as an attached appendix in the specific plan.

The Board provided clarification on the setbacks requesting that 10' back yards maintain the 15x15 areas going forward. They agreed that the minimum setback of 3.5' between each house should be increased to 4'.

Chair Keller summed up the recommendations that were discussed by the Board.

Residential

- Prefer to have a wider space so that they don't have that shared line.
- Lot size - the overall lot size has good variety and heights are satisfactory.
- Preference on craftsman and bungalow residential design, but is requesting staff to tell the Board what percentage mix would be in each phase, where you would use which style, and how you feel they would integrate and complement each other.
- Require that the cluster housing adjacent to residential housing will have the three story units on the inside of the clusters and not the edges, but also no three story units will be near a two story single family residence. Want variation throughout the cluster of three and two story buildings.
- Recommend changing the setbacks from 3.5' to 4' for a minimum, resulting in a minimum total setback of 8' and 10' alternating.

Commercial

- Requested a different architectural style for the commercial area that was not western but is more consistent with the character of the area.
- Board Member Ventimiglia questioned the commercial zone if it contained mixed use and if it was allowed. Staff responded it is allowed, but is not represented nor planned for. Beth Palmer said that applicant prefers a mixed use development but it is controlled by FORA and contingent upon the munitions cleanup of the parcels. If certified allowable, they will incorporate mixed use.
- The Board requested to add more detail about the mixed use and include a recommend to the PC to require mixed use development, if possible at the location.
- Requested a mix of the 3 and 4 stories alternating, to keep in line with current uses and styles. Covered walk ways and awnings on the first floor are preferred.
- The citing of the buildings to the solar gain and wind is critical.
- Requested commercial areas pay attention to walkability and pedestrian access through the area, incorporate bike parking and amenities.
- Require that as each area is further developed to ensure connectivity with each of the areas, paying specific attention to all modes of transportation and how to get between each area safely, planning for connections for future uses.
- Requested consideration of lighting and bike lanes wherever possible.

On motion by Board Member Keller, seconded by Board Member Khalsa and passed by the following vote the Board approved the above recommendations and requested that they be passed on to the Planning Commission.

RESULT:	Approved
MOVER:	Board Member Toby Keller
SECONDER:	Board Member Bani Khalsa
AYES:	Kathleen Ventimiglia, Toby Keller, Bani Khalsa
ABSENT:	Mitsugu Mori, Ken Rudisill

D. ARCHITECTURAL REVIEW APPLICATION NO. BAR-16-08. City of Seaside, property owner, and Pacific Gas and Electric, applicant, are requesting design review approval of a landscape restoration plan as mitigation for the removal of 15 City owned trees located within the public right-of-way at three separate areas on Fremont Boulevard and Monterey Road. The project is categorically exempt Class 4, Section 15304(b) from the California Environmental Quality Act Guidelines.

Senior Planner Medina presented the staff report explaining that tree removal that is planned along the PG& E community pipeline that PG&E is requesting to remove as part of the pipeline safety project. Joe Foster from PG&E gave a brief overview of the community pipeline safety initiative

including the assessment and analysis of vegetation located within 15 feet of the gas transmission lines. He delineated the difference between transmission line requirements and distribution line requirements. He closed by indicating he has worked with the City ensure the extractions are the least impacting to the City. He spoke to the three project sites and the site planting plans for replacement after tree extraction.

The Board discussed approving the request with the provision that PG&E continue to water locations A and B and install drip irrigation at location C, with an agreement for a 24-month period of monitoring and replacement.

Mr. Medina outlined the different types of landscape and irrigation that would be replacing the trees with the assurance that there will be a 24 month maintenance monitoring. Cal Am will provide the resources to water that. There is 24 months to monitor and replace if they die.

On motion by Board Member Ventimiglia and seconded by Board Member Khalsa and passed by the following vote the Board approved the request from PG&E with the provision that PG&E continue to water locations A and B and install drip irrigation at location C, with a 24-month period of monitoring and replacement.

RESULT:	Approved
MOVER:	Board Member Kathleen Ventimiglia
SECONDER:	Board Member Bani Khalsa
AYES:	Kathleen Ventimiglia, Toby Keller, Bani Khalsa
NOES:	Mitsugu Mori, Ken Rudisill

7. **REPORTS FROM BOARD MEMBERS**

The Board requested more advanced notification for future meetings.

8. **REPORTS FROM STAFF**

There were no reports from staff.

9. **ADJOURNMENT**

The meeting was adjourned at 8:40 PM.

Respectfully submitted,

Lesley Milton-Rerig, City Clerk

Toby Keller, Board Chair

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

FORA Master Resolution criteria	Discussion
LEGISLATIVE LAND USE DECISION CONSISTENCY <i>Fill in Discussion cells below for all Legislative Land Use Decision consistency determinations (i.e. General Plan updates, Zoning amendments, etc)</i>	
8.02.010 (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;	The Specific Plan land use designations are consistent with the Reuse Plan, as modified by the Seaside General Plan (received FORA consistency determination December 10, 2004, by Resolution No. 04-6) and the East Garrison – Parker Flats Land Use Modification MOU (signed by FORA on October 3, 2005 and fully executed in December 2005). Seaside General Plan land use designations, for property currently within the Seaside city limits, are High Density Residential and Park and Open Space (Veterans Cemetery). Reuse Plan and County of Monterey land use designations, for property currently outside of the Seaside city limits in unincorporated Monterey County (per the East Garrison – Parker Flats Land Use Modification MOU) are Monterey Horse Park, Oak Woodland Habitat Reserve, County Development Reserve, and Veterans Cemetery. Reuse Plan land use designations, for property currently outside of the Seaside city limits in unincorporated Monterey County (not a part of the East Garrison – Parker Flats Land Use Modification MOU) are Public Facility/Institutional and Business Park/Light Industrial/Office/Research & Development. See the attached (Exhibit A, Seaside General Plan Land Use Map ; Exhibit B, East Garrison – Parker Flats Land Use Modification MOU ; and Exhibit C, Specific Plan Land Use Plan .). These designations reflect all of the relevant land use legislative approvals associated with the Project site.
(2) Provides for a development more dense than the density of use permitted in the Reuse Plan for the affected territory;	Development allowed by the Specific Plan would be consistent with the density of uses permitted in the Reuse Plan for the affected territory. See discussion (1) above.
(3) Is not in substantial conformance with applicable programs specified in the Reuse Plan and Section 8.02.020 of this Master Resolution;	SEE SEPARATE WORKSHEET BELOW

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

(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;	The land uses allowed by the Specific Plan are consistent with the uses allowed by the City of Seaside General Plan, the County of Monterey General Plan, and the Reuse Plan. Existing (and planned) uses surrounding the project site are the Department of Defense building, Army buildings (Surplus II - Mixed Uses) an Army parcel on Joe Lloyd Way, and CSUMB Open Space to the north; undeveloped land (MPC EVOC and FORHA lands) to the south; undeveloped land (FORHA lands) to the east; and single-family Army housing to the west. The Specific Plan EIR evaluated the uses allowed by the Specific Plan for conflicts and incompatibilities, and concluded that any potential incompatibilities can be mitigated to a less than significant level.
(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	The Specific Plan identifies responsible parties for all necessary installation, construction, and maintenance of infrastructure necessary to provide adequate public services to the property (Table 8.1 Implementation Matrix, included as Exhibit D.) The City of Seaside will require all development projects approved pursuant to the Specific Plan to provide for the financing and/or installation, construction, and maintenance of all infrastructure necessary to provide adequate public services to the development project pursuant to the Specific Plan.
(6) Does not require or otherwise provide for implementation of the Fort Ord Habitat Management Plan.	With the exception of the Oak Oval, the project site is designated as a development parcels within the installation-wide Multispecies Habitat Management Plan. The Specific Plan includes a Firewise Overlay, which consists of a 200-foot buffer, along all of the internal and adjacent property identified as FORHA habitat reserve (refer to Exhibit C, Specific Plan Land Use Plan).
(b) FORA shall not preclude the transfer of intensity of land uses and/or density of development involving properties within the affected territory as long as the land use decision meets the overall intensity and density criteria of Sections 8.02.010(a)(1) and (2) above as long as the cumulative net density or intensity of the Fort Ord Territory is not increased.	The transfer of intensity of land uses and/or density of development is not part of the proposal.

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

(c) The Authority Board, in its discretion, may find a legislative land use decision is in substantial compliance with the Reuse Plan when the Authority Board finds that the applicant land use agency has demonstrated compliance with the provisions specified in this section and Section 8.020.020 of this Master Resolution.

8.02.020 (a) Prior to approving any development entitlements, each land use agency shall act to protect natural resources and open spaces on Fort Ord Territory by including the open space and conservation policies and programs of the Reuse Plan, applicable to the land use agency, into their respective general, area, and specific plans.

(1) Each land use agency shall review each application for a development entitlement for compatibility with adjacent open space land uses and require suitable open space buffers to be incorporated into the development plans of any potentially incompatible land uses as a condition of project approval.

The Specific Plan includes a Firewise Overlay, which consists of a 200-foot buffer, along all of the internal and adjacent property identified as FORHA habitat reserve (refer to [Exhibit C, Specific Plan Land Use Plan](#)). Due to the high level of fuel that can accumulate in maritime chaparral, no flammable structures are allowed within this buffer. This area provides a suitable buffer to address potential land use incompatibilities.

(2) When buffers are required as a condition of approval adjacent to Habitat Management areas, the buffer shall be designed in a manner consistent with those guidelines set out in the Habitat Management Plan. Roads shall not be allowed within the buffer area adjacent to Habitat Management areas except for restricted access maintenance or emergency access roads.

The City of Seaside will ensure these conditions of approval are required when development applications are received for projects adjacent to Habitat Management areas.

The Specific Plan includes a Firewise Overlay, which consists of a 200-foot buffer, along all of the internal and adjacent property identified as FORHA habitat reserve (refer to [Exhibit C, Specific Plan Land Use Plan](#)).

(b) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will ensure consistency of future use of the property within the coastal zone through the master planning process of the California Department of Parks and

The subject property is not within the coastal zone.

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

Recreation, if applicable. All future use of such property shall comply with the requirements of the Coastal Zone Management Act and the California Coastal Act and the coastal consistency determination process.	
(c) Monterey County shall include policies and programs in its applicable general, area, and specific plans that will ensure that future development projects at East Garrison are compatible with the historic context and associated land uses and development entitlements are appropriately conditioned prior to approval.	(this row does not apply to City proposals)
(d) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that shall limit recreation in environmentally sensitive areas, including, but not limited to, dunes and areas with rare, endangered, or threatened plant or animal communities to passive, low intensity recreation, dependent on the resource and compatible with its long term protection. Such policies and programs shall prohibit passive, low-density recreation if the Board finds that such passive, low-density recreation will compromise the ability to maintain an environmentally sensitive resource.	With the exception of the Oak Oval, the subject property is, and has been since adoption of the Reuse Plan in 1997, designated as development parcels. The Specific Plan does allow for the development of an equestrian trail within the Oak Oval, consistent with the East Garrison – Parker Flats Land Use Modification MOU and the Habitat Management Plan. The Specific Plan does not include any other development within areas identified as environmental sensitive.
(e) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that shall encourage land uses that are compatible with the character of the surrounding districts or neighborhoods and discourage new	The land uses allowed by the Specific Plan are consistent with the uses allowed by the City of Seaside General Plan, the County of Monterey General Plan, and the Reuse Plan. Existing (and planned) uses surrounding the project site are the Department of Defense building, Army buildings (Surplus II - Mixed Uses) an Army parcel on Joe Lloyd Way, and CSUMB Open Space to the north; undeveloped land (MPC EVOC and FORHA lands) to the south; undeveloped land

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

land use activities which are potential nuisances and/or hazards within and in close proximity to residential areas. Reuse of property in the Army urbanized footprint should be encouraged.	(FORHA lands) to the east; and single-family Army housing to the west. The Specific Plan EIR evaluated the uses allowed by the Specific Plan for conflicts and incompatibilities (noise, light and glare) and identified mitigation measures to reduce the impacts to a less-than-significant level. The Specific Plan is consistent with the goals and policies of the 2004 Seaside General Plan. The Specific Plan is consistent with each of these compatibility criteria. The Project does require an amendment to the Seaside General Plan to incorporate the Specific Plan into the General Plan. The Specific Plan is also in conformance with the following applicable General Plan goals and policies: General Plan Goals and Policies <i>Land Use Element</i> <i>Goal LU-1:</i> Promote a mixture of land uses and a balance of jobs and housing to support a community in which people can live, work, shop, and play. <i>Policy LU-1.2:</i> Encourage development that helps the City achieve a jobs/housing ratio of 1.5:1. Evidence. According to AMBAG, in 2010 Seaside had 11,335 housing units and 7,790 jobs for a jobs/housing balance of 0.69:1. The project would add 1,280 housing units and 2,758 jobs for a jobs/housing balance of 0.84:1. The project would assist in achieving a more favorable job/housing balance and therefore, is consistent with this policy. <i>Policy LU-1.3:</i> Encourage regional commercial and visitor-serving commercial development that will enhance the identity of Seaside and attract visitors to the community. Evidence. The Specific Plan allows for 775,000 square feet of commercial/retail uses and about 250 acres of equestrian-related visitor-serving uses (Monterey Horse Park and the Monterey Downs Training/Race Track). Therefore, the project is consistent with this policy. <i>Policy LU-1.4:</i> Provide for a variety of housing that complements the employment opportunities in the community. Evidence. The specific plan would allow for 1,280 residential units, with an additional 256 units identified as “qualified worker lodging in a hotel format”. The 1,280 units would consist of the following: 880 single-family lots (including 26 detached courtyard homes), and 400 apartments (including student apartments). The 880 single-family lots range from
---	--

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	about 2,500 square feet to about 7,000 square feet. The project includes a variety of housing types, sizes, and prices, included both ownership and rental opportunities and is therefore, consistent with this policy. <i>Policy LU-1.5:</i> Provide for a large-scale commercial recreational facility. Evidence. The project includes two, large-scale commercial recreational facilities: the Monterey Horse Park, and the Monterey Downs Training/Race Track (outdoor) and Sports Arena (indoor) complex. The Monterey Horse Park is a non-profit equestrian facility that will host regional, state, national, and international events such as dressage, eventing, jumping, driving, vaulting, etc. The Monterey Downs Training/Race Track is a world-class thoroughbred training facility with potential racing meets, modeled after the Del Mar Thoroughbred Club in Del Mar, California. The Sports Arena is a 6,500 seat venue for a wide variety of sporting and special events, such as ice hockey, basketball, semi-pro sports, trade shows, car shows, veteran's events, and graduation ceremonies. Therefore, the project is consistent with this policy. <i>Goal LU-4:</i> Ensure that new development complements existing land uses and enhances the character of the community and its neighborhoods. <i>Policy LU-4.1:</i> Require that all new development: 1) funds its share of community services and facilities (e.g., parks, roads, trails, and utilities); 2) uses quality design and materials; and 3) is compatible with surrounding uses, the site, and available infrastructure. Evidence. The Specific Plan requires that development pursuant to the plan funds its share of community services and facilities. Additionally, the City will be negotiating a Disposition and Development Agreement that also solidifies the requirements for the development to fund its share of community services and facility. The Specific Plan includes a set of architectural design guidelines, development standards, and landscape and grading standards to ensure development uses quality design and materials. The EIR evaluated the project's compatibility (noise, safety, and other environmental issues) with surrounding land uses and concluded that there were no incompatibility impacts that could not be mitigated. <i>Urban Design Element</i> <i>Goal UD-1</i> Create and maintain a positive image that also
--	---

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	provides a clear identity for the community within the region. <i>Policy UD-1.1:</i> Enhance the City's image and identity within the region's natural setting. Evidence. The project is an approximate 576-acre mixed-use upscale equestrian-themed village with commercial/retail, a variety of new housing, quality recreational facilities, and Veterans Cemetery ancillary facilities. The project would provide a variety of jobs and provide two staging areas for improved access to the Fort Ord Habitat Recreation Area lands, which provides access to the Fort Ord National Monument. The project would enhance the City's image and identity within the region's natural setting and therefore, is consistent with this policy. <i>Goal UD-2</i> Create and preserve distinct neighborhoods and business districts. <i>Policy UD-2.2:</i> Minimize potential light and sound impacts of new development and redevelopment on surrounding areas. Evidence. The project subsequent EIR addressed the issues of light and noise impacts of the project on the surrounding areas. The EIR concluded that all light and noise impact can be mitigated. All of the project mitigation measures will be included as conditions of approval for projects within the Specific Plan. Therefore, the project is consistent with this policy. <i>Policy UD-2.3:</i> Ensure projects use design and site planning facilities that reduce potential criminal activities. Evidence. The Seaside Police Chief will be consulted with each development application pursuant to the Specific Plan to ensure project design and site planning does not facilitate criminal activities. Therefore, the project is consistent with this policy. <i>Housing Element</i> <i>Policy H-2.3:</i> Encourage the construction of high-density, well designed housing and residential- commercial mixed use projects. Evidence. The project accommodates the construction of 400 apartment units, including student housing and is a residential-commercial-recreational mixed use project. The specific plan includes architectural design guidelines, as well as development standards and landscape and grading standards. Therefore, the project is consistent with this policy. Specific Plan Policies
--	--

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	The Specific Plan includes the following applicable policies: <i>Economic Policies</i> <i>Policy EC-2.</i> Strong tourism and recreational opportunities by providing venues for a number of visitor serving uses. ▪ Planning Area C-2, "Country Walk" includes 330,000 square feet of shopping, entertainment, and hotel uses. ▪ Planning Area C-1 provides for tennis and swim facilities and a hotel. ▪ The equestrian facilities and sports arena allowed in Planning Area Rec-1 and Rec-2 will provide venues for equestrian events, festivals, pro and semipro sports, fairs and a variety of local and regional shows and events. ▪ Equestrian facilities in Planning Area Rec-1 will provide for world-class equestrian events. ▪ Two staging areas, within the C-2 and Rec-1 Planning Area, along with a vast internal trails network, will provide ideal amenities for hikers, bikers and equestrians visiting the Fort Ord National Monument and surrounding open space and trail system. <i>Educational Policies</i> <i>Policy ED-1.</i> Assist local colleges in developing new educational opportunities in the animal sciences fields. ▪ The Monterey Horse Park (Planning Area Rec-1) will be available to a variety of educational groups such as high school Future Farmers of America (FFA), at risk youth programs and college students pursuing careers in the equine field. Facilities will also be available for sporting events run by local schools and youth organizations. ▪ The Training Track (Planning Area Rec-2) will provide internship and job opportunities for students in the animal science fields. ED-2. Provide retail and commercial job opportunities including part-time jobs that may be appropriate for high school and college students. ▪ The 330,000 square foot commercial center within the C-2 Planning Area and Office and Hotel uses in the C-1 Planning Area will offer a variety of employment opportunities at various skill levels. Additionally, the horse facilities in the Rec-1 and Rec-2 Planning Areas will offer an assortment of jobs.
--	---

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	<i>Policy ED-3.</i> Provide housing types suitable for college students and faculty. ▪ The Specific Plan offers a variety of housing choices including apartments, courtyard homes, and various styles of single family residences within biking distance or a short drive to CSUMB. <i>Environmental Policies</i> <i>Policy EV-1.</i> Achieve consistency with the Habitat Management Plan and the Habitat Conservation Plan developed as part of the Base Reuse Plan. ▪ The project includes the preservation of approximately 72.5 acres of land dedicated as open space in the area known as the “Oak Oval.” ▪ A Firewise Overlay (FW-O) has been established to address the location of structures, materials to be used for construction, fuel breaks and emergency ingress and egress. <i>Policy EV-2.</i> Preserve, restore and incorporate native habitats into the community’s open space network. ▪ More than 100 acres of open space and parks are planned within the project. ▪ The Linear Park Preserve Overlay zones will contain a combination of native habitat preservation, native habitat restoration, and multi-use trails <i>Policy EV-3.</i> Create landscape buffers around the community that help transition from the urban habitat/ecosystem to the native habitat/ecosystem. ▪ Open space buffers (Linear Park Preserve Overlay) will be provided along major roads, such as Eastside Parkway and Parker Flats Road to provide scenic routes and transitions between the developed and rural zones. ▪ Firewise Overlays are provided along the eastern boundary of the Specific Plan and around the Open Space Planning Area that will help transition to open space areas. <i>Policy EV-4.</i> Encourage non-motorized and multi-modal transportation opportunities, especially bicycle, pedestrian, equestrian, and public transportation by providing a mix of uses, interconnected streets, and convenient access to public transportation. ▪ The Specific Plan provides both residents and visitors with safe, close connections between residential, and commercial and recreational areas. Parks are also spread throughout the
--	---

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	residential communities and are connected by a paseo network (2.2, Land Use Concept). - Regional trail connections through the project sites and to the surrounding open space areas are established via trails and Class I and Class II bike lanes (3.5 Regional Pedestrian Circulation & Trails Planning). - The goal of the public transit system is to have a bus stop located within ½ mile, or a 10 minute walk, of all residential neighborhoods. One stop is proposed in the center of the Specific Plan area which will serve the immediate needs of the community. As site development expands, the Monterey-Salinas Transit (MST) will monitor the needs and expand accordingly. <i>Veterans Cemetery Policies</i> <i>Policy VC-2</i> Provide additional functions for the property, ancillary to burial, that honor the Veterans. - Two separate parcels, totaling 5 acres, are designated for ancillary use. Permitted uses include cultural and nondenominational facilities, assembly facilities, and trails. <i>Policy VC-3</i> Create an Endowment Fund to operate and maintain the Cemetery after construction. - A 31.4 acre parcel has been designated “the Endowment Fund Opportunity Parcel”. This parcel is intended to be sold in order to create the endowment fund required for maintenance and operation of the cemetery.
(f) Each land use agency with jurisdiction over property in the Army urbanized footprint shall adopt the cultural resources policies and programs of the Reuse Plan concerning historic preservation, and shall provide appropriate incentives for historic preservation and reuse of historic property, as determined by the affected land use agency, in their respective applicable general, area, and specific plans.	The Seaside General Plan includes the following applicable goals and policies: <i>Conservation and Open Space</i> <i>Goal COS-5:</i> Protect high sensitivity archaeological resources, architecturally significant buildings, and historic places. <i>Policy COS-5.1:</i> Identify and conserve archeological, architectural, and historic resources within Seaside. Evidence. The only buildings on the project site are the old nurse’s barracks, which are not considered historically significant. According to the Reuse Plan and Reuse Plan EIR, Stillwell Hall (no longer standing) and 35 structures in East Garrison are the only historically-significant properties at Fort Ord. Therefore, the subject property does not include historic resources. Additionally, it is not located in an archaeologically-sensitive area (Reuse Plan Figure 4.4-2). However, the

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	Specific Plan EIR does include mitigation measures (CR-1 and CR-2) to preserve significant resources if, during earthmoving activities they are accidentally discovered.
(g) The County of Monterey shall amend the Greater Monterey Peninsula Area Plan and designate the Historic East Garrison Area as an historic district in the County Reservation Road Planning Area. The East Garrison shall be planned and zoned for planned development mixed uses consistent with the Reuse Plan. In order to implement this aspect of the plan, the County shall adopt at least one specific plan for the East Garrison area and such specific plan shall be approved before any development entitlement shall be approved for such area.	(this row does not apply to City proposals)
(h) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that shall support all actions necessary to ensure that sewage treatment facilities operate in compliance with waste discharge requirements adopted by the California Regional Water Quality Control Board.	The Seaside General Plan includes the following applicable goals and policies: <i>Land Use Element</i> <i>Goal LU-6:</i> Ensure that sewer service and facilities are provided and maintained to adequately meet the community's current and future need for sewer collection and treatment. <i>Policy LU-6.1:</i> Maintain the existing sewer system to provide a high level of service to community neighborhoods. <i>Implementation Plan LU-6.1.1</i> Monitor MRWPCA Treatment Plant. Continue to monitor the capacity of the MRWPCA treatment plant as new development projects are proposed, and identify required improvements to expand the plant's capacity. Evidence. The City of Seaside has adopted these goals, policies, and implementation plans to support actions necessary to ensure sewage treatment facilities operate in compliance with applicable regulations. Development pursuant to the Specific Plan would utilize existing wastewater collection system connections. The Marina Coast Water District operates the existing wastewater collection system, although the Seaside County Sanitation District has expressed an interest in expanding its service area to include annexing portions of the former Fort Ord, including the subject property. Wastewater is transported to

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	the Monterey Regional Water Pollution Control Agency's treatment plant north of Marina. The treatment plant's capacity has been sized to accommodate planned uses within the service area, and the Monterey Regional Water Pollution Control Agency monitors demands and develops plans for expansions to accommodate anticipated increases in demands. Expansions are funded through service capacity charges levied on new users. Therefore, the proposed project would not violate any water quality standards or waste discharge requirements.
(i) Each land use agency shall adopt the following policies and programs:	
(1) A solid waste reduction and recycling program applicable to Fort Ord Territory consistent with the provisions of the California Integrated Waste Management Act of 1989, Public Resources Code Section 40000 <i>et seq.</i>	The Seaside General Plan includes the following applicable goals and policies: <i>Land Use Element</i> <i>Goal LU-7:</i> Collaborate effectively with local providers of solid waste collection and disposal to provide a sufficient level of solid waste disposal. <i>Policy LU-7.1:</i> Participate in local and regional programs that encourage the per capita reduction of solid waste in Seaside in order to meet State mandates for waste reduction. <i>Implementation Plan LU-7.1.1 Integrated Waste Management Act.</i> Continue to comply with the State's Integrated Waste Management Act, which requires cities and counties to divert at least 50 percent of its waste from area landfills, through 1) recycling and reuse educational brochures and 2) working with regional agencies to properly maintain and upgrade the City's recycling center. Evidence. Development pursuant to the Specific Plan will be required to adhere to waste management policies and participate in recycling programs in accordance with local and regional waste management guidelines. The Monterey Regional Waste Management District landfill has sufficient capacity to accommodate service needs in the service area to approximately 2090. The City of Seaside meets state mandated waste diversion rates through a franchise agreement with a private waste hauler.
(2) A program that will ensure that each land use agency carries out all action necessary to ensure that the installation of water supply wells comply with State of California Water Well Standards and well standards established by	Water for the proposed project would be provided by the Marina Coast Water District. The City of Seaside would not be responsible for installation of water supply wells.

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

the Monterey County Health Department; and	
(3) A program that will ensure that each land use agency carries out all actions necessary to ensure that distribution and storage of potable and non-potable water comply with State Health Department regulations.	Water for the proposed project would be provided by the Marina Coast Water District. The City of Seaside would not be responsible for ensuring that distribution and storage of potable and non-potable water comply with State Health Department regulations.
(j) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans to address water supply and water conservation. Such policies and programs shall include the following:	
(1) Identification of, with the assistance of the Monterey County Water Resources Agency and the Monterey Peninsula Water Management District, potential reservoir and water impoundment sites and zoning of such sites for watershed use, thereby precluding urban development;	Seaside General Plan The Seaside General Plan includes the following applicable goals and policies: <i>Conservation and Open Space</i> <i>Goal COS-2: Provide a safe and adequate water supply to meet the needs of the community.</i> <i>Policy COS-2.1: Work with regional and local water providers to ensure that adequate supplies of water are available to meet existing development and future growth.</i> Implementation Plan COS-2.1.1 Consult Water Agencies. During the development review process, consult with local and regional water agencies to assess whether the water demand associated with the project is included in the agency's most recent Urban Water Management Plan and whether existing supplies can meet the project's demand for water. Implementation Plan COS-2.1.2 Water Supply Verification. Condition approval of all development plans on verification of an assured long-term water supply. Implementation Plan COS-2.1.3 Water Supply Projects. Continue to support efforts by Monterey Peninsula Water Management District (MPWMD) and Monterey County Water Resources Agency (MCWRA) to expand water supply through the development of new water sources, including new wells, desalination, importation of water, and water impoundment sites. Specific Plan. The Specific Plan identifies locations for both storm water and recycled water basins. Refer to Figure 4.2, Proposed Backbone Reclaimed Water Improvements, and

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	Figure 4.4, Proposed Backbone Stormwater Improvements. Evidence: The City of Seaside has adopted these goals, policies, and implementation program. Therefore, they are involved with identification of potential reservoir and water impoundment sites. The City of Seaside Zoning Ordinance includes a PI (Public/Institutional) zone. The PI zone is applied to the sites of existing and proposed public buildings and facilities, utility facilities, and similar and related facilities. The PI zone implements and is consistent with the Public/Institutional (PI) land use designation of the General Plan. Therefore, the City has appropriate zoning available for such sites. Finally, the Specific Plan locations for both storm water and recycled water basins.
(2) Commence working with appropriate agencies to determine the feasibility of developing additional water supply sources, such as water importation and desalination, and actively participate in implementing the most viable option or options;	Seaside General Plan The Seaside General Plan includes the following applicable goals and policies: <i>Conservation and Open Space</i> <i>Policy COS-2.2:</i> Encourage the production, distribution, and use of recycled water. <i>Implementation Plan COS-2.2.1 Recycled Water.</i> In cooperation with the State, regional, and local water agencies and suppliers, participate in programs that seek to increase potable water supply and to limit the spread of seawater intrusion into the groundwater basins through the recycling of wastewater. Specifically, support the expansion of the use of recycled water for urban irrigation. Cooperate with these agencies to establish standards, fees, infrastructure provision requirements, and regulations for the use of recycled water in new development and redevelopment projects. Specific Plan. According to the Specific Plan water supply assessment prepared by the Marina Coast Water District, approximately 3 of 6 Specific Plan phases can be constructed prior to the availability of recycled water, desalinated water, or other supplemental water supply source. Therefore, complete buildout of the Specific Plan would rely of supplemental water supplies. Evidence. The City of Seaside has adopted these policies and implementation programs and are therefore, working with the Marina Coast Water District, the Monterey Peninsula Water Management District, and the Monterey Regional Water Pollution Control Agency to determine the feasibility of

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	developing additional water supply sources.
(3) Adoption and enforcement of a water conservation ordinance which includes requirements for plumbing retrofits and is at least as stringent as Regulation 13 of the Monterey Peninsula Water Management District, to reduce both water demand and effluent generation.	The Seaside General Plan includes the following applicable policies: <i>Conservation and Open Space</i> <i>Policy COS-2.3:</i> Participate in and implement local and regional programs that promote water conservation as a means of improving water supply and water. <i>Implementation Plan COS-2.3.1 Water Conservation.</i> Encourage water conservation throughout Seaside through the City's municipal code, which requires new public and private development, and redevelopment projects to install and utilize water conservation measures. These measures include: ▪ The installation of low water-use plumbing fixtures, and low water-use landscape materials in new construction; ▪ The installation of low water-use plumbing fixtures in existing hotels and motels; and ▪ The retrofitting of plumbing fixtures in all existing residential buildings at the time of change of ownership or physical expansion, or in the cases of commercial property, at the time of change of ownership, or change or expansion of use. (See also Implementation Plan LU-5.3.1.) Specific Plan. The following Specific Plan policies address reducing water demand: <i>Environmental Policies</i> <i>Policy EV-5.</i> Minimize groundwater consumption with water reclamation programs, drought-tolerant landscaping and use of reclaimed water. ▪ Landscaping shall include predominately drought tolerant native or naturalized plant materials with proven adaptation to the region's climate and capable of providing storm water filtration where appropriate (7.2 Landscape Design Principles) ▪ Commercial and multi-family landscaping shall use reclaimed water when available (6.3.1 All Development). ▪ Commercial buildings (excluding hotels) shall use reclaimed water for toilet flushing (6.3.1 All Development). <i>Policy EV-6.</i> Preserve groundwater quality by integrating Low Impact Development (LID) stormwater management solutions. ▪ In order to uphold the integrity of the drainage system and retain the effectiveness of the infiltration basins, stormwater BMP's, LID techniques, and erosion control devices are

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	required during construction and post-construction and shall be consistent with the most current City and Regional Water Quality Control Board standards. The Specific Plan includes the following development standards addressing reduced water demand: ▪ Commercial buildings shall use waterless urinals. ▪ 80% of single-family lots shall be non-turf. ▪ Any outdoor water features shall be designed for low flow pumps and placed where shading can be provided. Evidence. The Marina Coast Water District will be the water provider for development pursuant to the Specific Plan and has adopted a water conservation ordinance (Ordinance #40). Additionally, the City's Municipal Code Chapter 13.11 is a municipal water system water conservation program, which is consistent with Monterey Peninsula Water Management District's Regulation XV, "The 2016 Monterey Peninsula and Water Conservation and Rationing Plan". Additionally, the Specific Plan includes policies to reduce water use.
(4) Active participation in support of the development of "reclaimed" or "recycled" water supply sources by the water purveyor and the Monterey Regional Water Pollution Control Agency to ensure adequate water supplies for the territory within the jurisdiction of the Authority.	The Seaside General Plan includes the following applicable policies: <i>Conservation and Open Space</i> <i>Goal COS-3:</i> Protect and enhance local and regional ground and surface water resources. <i>Policy COS-3.1:</i> Eliminate long-term groundwater overdrafting as soon as feasible. <i>Implementation Plan COS-3.1.1 Halt Salt Water Intrusion.</i> Cooperate with the Monterey County Water Resources Agency (MCWRA), the Army Corps of Engineers (ACOE), State Water Resources Control Board (SWRCB), and the Regional Water Quality Control Board (RWQCB) to find a solution to halt seawater intrusion toward Seaside. <i>Policy LU-5.2:</i> Work cooperatively with local and regional water suppliers to ensure adequate water reserves. <i>Implementation Plan LU-5.2.1 MPWMD Water Supply Project.</i> Continue to work with the Monterey Peninsula Water Management District (MPWMD), other water agencies, and other entities to legalize the existing deficit that has been determined by the California Water Resources Control Board Order 95-10 and to augment the water supply to accommodate current and future water needs reflected in this General Plan.

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	<i>Implementation Plan LU-5.2.2:</i> Regional Urban Water Augmentation Project: Support efforts by the Marina Coast Water District to provide an augmented water source for the former Fort Ord, which may include desalinated water or recycled water. Once a new water source is created, cooperate with FORA and other agencies to approve the project's water allocation. <i>Policy LU-5.4:</i> Promote the use of recycled water for irrigation of parks, golf courses, and public landscaped areas in the community. <i>Implementation Plan LU-5.4.1 Recycled Water.</i> Coordinate with the MPWMD and the MCWD to extend recycled water infrastructure and determine user and connection fees. Seaside has adopted the General Plan goals, policies, and implementation programs and therefore, is in support of the development of “reclaimed” or “recycled” water supply sources by the Marina Coast Water District and the Monterey Regional Water Pollution Control Agency to ensure adequate water supplies for the territory within the jurisdiction of the Authority. Specific Plan. According to the Specific Plan water supply assessment prepared by the Marina Coast Water District, approximately 3 of the 6 Specific Plan phases can be constructed prior to the availability of recycled water, desalinated water, or other supplemental water supply source. Therefore, complete buildout of the Specific Plan would rely of supplemental water supplies. The Specific Plan includes the following development standards regarding use of recycled or reclaimed water: ▪ Commercial and multi-family landscaping shall use reclaimed water when available. ▪ Commercial buildings (excluding hotels) shall use reclaimed water for toilet flushing. ▪ Single-family residential homes shall use reclaimed water for front yard landscaping. Evidence. Goals and policies in both the General Plan and the Specific Plan, as presented above, support development of “reclaimed” or “recycled” water supply sources by the water purveyor and the Monterey Regional Water Pollution Control Agency to ensure adequate water supplies for the territory within the jurisdiction of the Authority.
(5) Promotion of the use of on-site water collection,	The Specific Plan includes the following development standards regarding on-site water collection:

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

incorporating measures such as cisterns or other appropriate improvements to collect surface water for in-tract irrigation and other non-potable use.	• If cisterns are installed they shall be water tight with smooth interior surfaces with an appropriate filter. Cisterns shall be sized according to local rainfall and rooftop size. • Cisterns and wastewater pipes shall not be connected. • If a rainwater harvesting system is utilized it shall not be hooked to the public water supply system. Additionally, the Specific Plan EIR includes a mitigation measure (HYD-1) that requires applicants for projects pursuant to the Specific Plan to prepare and submit a Stormwater Control Plan that incorporates site design characteristics, landscape features, and engineered facilities, in order to accomplish the following: minimize imperviousness; detain and treat, and/or retain, the specified amounts of runoff; slow runoff rates; and reduce pollutants in post-development runoff. The Specific Plan promotes the use of on-site water collection including the use of cisterns by including the above-referenced development standards. Evidence. The Specific Plan promotes the use on on-site water collection, as evidenced by the development standards and mitigation measures discussed above.
(6) Adoption of policies and programs consistent with the Authority's Development and Resource Management Plan to establish programs and monitor development of territory within the jurisdiction of the Authority to assure that it does not exceed resource constraints posed by water supply.	The City of Seaside allocates Salinas Valley groundwater to development within its jurisdiction on the former Fort Ord. As of August 2016, the City had allocated 792 AFY of the 1,012 AFY allocated to the City by FORA, leaving a balance of 220 AFY. The County of Monterey allocates Salinas Valley groundwater to development within its jurisdiction on the former Fort Ord. As of August 2016, the County had allocated 522.50 AFY of the 710 AFY allocated to the County by FORA, leaving a balance of 187.50 AFY. Combined, the City and the County have a balance of 407.50 AFY that could be allocated to development within the Specific Plan area. The SEIR concluded that because sufficient water is not currently available to serve build-out of the Specific Plan Area, a significant and unavoidable impact would occur. However, because development pursuant to the Specific Plan cannot proceed without sufficient water supplies, if water is not available, it cannot be allocated. Evidence. The City and the County have a process for allocating water to development on the former Fort Ord. Members of the City Council and the Board of Supervisors site on the FORA board. The FORA board receives regular updates from the Marina Coast Water District regarding

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	allocation of water, as well as actual water use.
(7) Adoption of appropriate land use regulations that will ensure that development entitlements will not be approved until there is verification of an assured long-term water supply for such development entitlements.	The Seaside General Plan includes the following applicable policy: General Plan Policy LU-5.1: Review development proposals to ensure that adequate water supply, treatment, and distribution capacity is available to meet the needs of the proposed development without negatively impacting the existing community. Specific Plan. Water for development within the Specific Plan area will be supplied by the Marina Coast Water District. While there is currently only sufficient water supplies allocated to the City of Seaside and County of Monterey to serve Phases I through III of the project, the water district is in the process of studying supplemental water supply options through a MOU with the Fort Ord Reuse Authority (FORA) and the Monterey Regional Water Pollution Control Agency. The SEIR concluded that because sufficient water is not currently available to serve build-out of the Specific Plan Area, a significant and unavoidable impact would occur. However, because development pursuant to the Specific Plan cannot proceed without sufficient water supplies, if water is not available, it cannot be allocated. Evidence. The Specific Plan EIR includes a mitigation measure that requires sufficient water supply be available prior to issuance of building permits. This mitigation measure will not allow development of Phases IV through VI to proceed without assurance that water supply is available. The provision of water to the project by the Marina Coast Water District will not affect water supply availability to the existing community.
(8) Participation in the development and implementation of measures that will prevent seawater intrusion into the Salinas Valley and Seaside groundwater basins.	The Seaside General Plan includes the following applicable policy: Policy COS-2.2: Encourage the production, distribution, and use of recycled water. Evidence. Development of new water supplies will assist in reducing seawater intrusion into the groundwater basins, by reducing the amount of groundwater extracted. The Marina Coast Water District, FORA, and the Monterey Regional Water Pollution Control Agency are in the process of studying supplemental water supplies. One of these supplies is recycled water. The Monterey Regional Water Pollution Control Agency currently treats wastewater to a tertiary level and is providing recycled water. The agency plans to provide recycled water to the Marina Coast Water District when the water district

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	constructs the delivery infrastructure. The City of Seaside is a member agency of both FORA and the Monterey Regional Water Pollution Control Agency and therefore, supports the agencies in the quest to produce and distribute recycled water current and future projects in Seaside. Development within the Specific Plan will be required to install the purple piping required for recycled water for use when recycled water supplies are available.
(9) Implementation of feasible water conservation methods where and when determined appropriate by the land use agency, consistent with the Reuse Plan, including; dual plumbing using non-potable water for appropriate functions; cistern systems for roof-top run-off; mandatory use of reclaimed water for any new golf courses; limitation on the use of potable water for golf courses; and publication of annual water reports disclosing water consumption by types of use.	The Seaside General Plan includes the following applicable policies: Policy COS-2.3: Participate in and implement local and regional programs that promote water conservation as a means of improving water supply and water. Policy LU-5.3: Actively promote water conservation by City residents and businesses. Specific Plan. The Specific Plan includes sustainability requirements in the development standards that address, among other things, water conservation efforts including water efficiency plumbing fixtures and appliances, and landscaping that minimizes the need for irrigation (Specific Plan Chapter 6 and Chapter 7). Development within the Specific Plan will be required to install the purple piping required for recycled water for use when recycled water supplies are available. Evidence. The City has adopted policies to conserve water and the Specific Plan includes sustainability requirements in the development standards.
(k) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will require new development to demonstrate that all measures will be taken to ensure that storm water runoff is minimized and infiltration maximized in groundwater recharge areas. Such policies and programs shall include:	
(1) Preparation, adoption, and enforcement of a storm water detention plan that identifies potential storm water detention design and implementation measures to be considered in all new development, in order to increase groundwater recharge and thereby reduce potential for further seawater intrusion and provide for an augmentation of future water supplies.	The Seaside General Plan includes the following applicable policy: Policy LU-8.2: Ensure that developers provide stormwater retention/detention facilities and institute Best Management Practices that regulate runoff and siltation that meets local, State, and federal standards. Additionally, the City of Seaside is designated as a Phase II MS4 general permit designee by the Regional Water Quality Control Board. Consistent with this designation, the City has adopted a storm water ordinance and participates in other measures to maintain the quality of storm water run-off. The proposed storm water collection and infiltration system is

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	consistent with Base Reuse Plan policies to detain storm water to the east of State Route 1, and with the Regional Water Quality Control Board requirements for low impact development techniques for storm water disposal. Specific Plan. The Specific Plan includes a drainage plan that is consistent with the requirement of the Fort Ord Base Reuse Plan by retaining all storm water on site. City will condition all development pursuant to the Specific Plan to detain all storm water on site. Evidence. The City has adopted policies and ordinances to ensure that development meets the existing regulatory requirements regarding storm water quality and detention, and the Specific Plan includes a drainage plan that is consistent with these regulations and the Base Reuse Plan's requirement to detain all storm water on site.
(2) Preparation, adoption, and enforcement of a Master Drainage Plan to assess the existing natural and man-made drainage facilities, recommend area-wide improvements based on the approved Reuse Plan, and develop plans for the control of storm water runoff from future development. Such plans for control of storm water runoff shall consider and minimize any potential for groundwater degradation and provide for the long term monitoring and maintenance of all storm water retention ponds.	The Seaside General Plan includes the following applicable policies: Policy LU-8.2: Ensure that developers provide stormwater retention/detention facilities and institute Best Management Practices that regulate runoff and siltation that meets local, State, and federal standards. Additionally, in order to properly maintain the storm drain system, the City of Seaside has a Draft Stormwater Master Plan. This Master Plan identifies improvements and deficiencies for the City to prioritize and implement through the Capital Improvement Program. Specific Plan. The Specific Plan includes a drainage plan that is consistent with the requirement of the Fort Ord Base Reuse Plan by retaining all storm water on site. City will condition all development pursuant to the Specific Plan to detain all storm water on site. Evidence. The City has prepared a Draft Stormwater Master Plan, and the Specific Plan includes a drainage plan that is consistent with these regulations and the Base Reuse Plan's requirement to detain all storm water on site.
(l) Each land use agency shall adopt policies and programs that ensure that all proposed land uses on the Fort Ord Territory are consistent with the hazardous and toxic materials clean-up levels as specified by state and federal	The City of Seaside has adopted an ordinance regulating digging and excavating on the former Fort Ord (Chapter 15.34 of the Seaside Municipal Code). The purpose and intent of the ordinance follows: The Army is in the process of transferring portions of the former Fort Ord to the city. Some parcels of the former Fort Ord were contaminated with ordnance and explosives (OE),

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

regulation.	which is a hazardous waste. The Army will not transfer those parcels until it has cleared those parcels of OE to its standard. Even following the Army's completion of OE response activities, it is possible that some OE materials may remain on those parcels. The California Department of Toxic Substances Control (DTSC) has statutory responsibility to oversee cleanup of releases of hazardous substances, which includes hazardous waste. DTSC cannot certify that all OE has been cleared and it will require a land use covenant to be recorded with the Monterey county recorder on these parcels to provide additional controls and restrictions to protect the public health and safety. The city will also enter into an agreement with DTSC to provide additional safety measures, reporting, etc. (Ord. 924 (part), 2004). Specific Plan. The Specific Plan acknowledges these issues in Section 1.3.3 Site Remediation. In addition, the Specific Plan EIR includes mitigation measures ((HAZ-1, HAZ-2, HAZ 3) that include preparation and implementation of a hazards and hazardous materials contingency plan for construction activities, a munitions and explosives safety briefing, and when necessary, remediation activities. Evidence. The City has adopted the necessary ordinance, and development pursuant to the Specific Plan will require compliance with that ordinance, as well as required mitigation measures from the project EIR.
(m) Each land use agency shall adopt and enforce an ordinance acceptable to the California Department of Toxic Substances Control ("DTSC") to control and restrict excavation or any soil movement on those parcels of the Fort Ord Territory, which were contaminated with unexploded ordnance, and explosives. Such ordinance shall prohibit any digging, excavation, development, or ground disturbance of any type to be caused or otherwise allowed to occur without compliance with the ordinance. A land use agency shall not make any substantive change to such ordinance without prior notice to and approval by DTSC.	See (l) above.

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

(n) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will help ensure an efficient regional transportation network to access the territory under the jurisdiction of the Authority, consistent with the standards of the Transportation Agency for Monterey County. Such policies and programs shall include:	
(1) Establishment and provision of a dedicated funding mechanism to pay for the “fair share” of the impact on the regional transportation system caused or contributed by development on territory within the jurisdiction of the Authority; and	The City has adopted the City of Seaside Regional Development Impact Fee Ordinance (Chapter 3.32 of the Seaside Municipal Code). The ordinance requires a fair-share traffic impact fee to be levied upon new development pursuant to this chapter, which provides a mechanism to fund new developments’ share of regional transportation system improvements that are needed to mitigate congestion and related adverse impacts caused by the new development. Specific Plan. Development pursuant to the Specific Plan will be required to pay their fair share of fees to mitigation impacts to the regional transportation system. Evidence. The City has adopted the Regional Development Impact Fee Ordinance and will require development pursuant to the Specific Plan to pay the fees.
(2) Support and participate in regional and state planning efforts and funding programs to provide an efficient regional transportation effort to access Fort Ord Territory.	Evidence. The City of Seaside supports and participates in regional and state planning efforts and funding programs to provide an efficient regional transportation effort to access Fort Ord territory by having one or more City Council members represent the City on the FORA, Transportation Agency for Monterey County, and AMBAG board of directors.
(o) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that ensure that the design and construction of all major arterials within the territory under the jurisdiction of the Authority will have direct connections to the regional network consistent with the Reuse Plan. Such plans and policies shall include:	
(1) Preparation and adoption of policies and programs consistent with the Authority’s Development and Resource Management Plan to establish programs and monitor development to assure that it does not exceed resource constraints posed by transportation facilities:	The Seaside General Plan includes the following applicable goals, policies, and implementation plans: Goal C-1: Provide and maintain a City circulation system that promotes safety and satisfies the demand created by new development and redevelopment in Seaside. Policy C-1.1: Design roadway capacities and ensure transportation facilities that adequately serve planned land uses. Implementation Plan C-1.1.1: Capital Improvement Plan (CIP). Continue to update on an annual basis the Capital Improvement Plan to plan for and fund future improvements to the circulation system, as well as other public facilities, including improvements to the existing pedestrian and bicycle

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	system, within the community. Policy C-1.2: Improve the Seaside circulation system in concert with public and private land development and redevelopment projects to maintain the City standard of Level of Service "C". Implementation Plan C-1.2.1: Traffic Studies and Impact Assessments. Review development proposals for potential impacts to the transportation system. Require a traffic study for projects that generate 100 or more peak hour trips or that have the potential to impact adjacent roadway segments and intersections. Implementation Plan C-1.2.2: Transportation Financing and Traffic Fee Ordinance. Identify available funding sources and establish a financing plan to guide construction and funding of transportation system improvements. Require new development projects to construct and/or fund in whole or in part necessary traffic improvements associated with the proposed project. Transportation improvements should include both automotive, as well as alternative means of transportation. Consider adopting a Traffic Fee Ordinance to reflect projected circulation needs and apply the ordinance to applicable developments. Consider including alternative modes of transportation (bicycle and pedestrian) and public parking as projects eligible for use of Traffic Impact Fees. Policy C-1.3: Coordinate improvements to and maintenance of the City circulation system with other major transportation and infrastructure improvement programs. Implementation Plan C-1.3.1: During development of the CIP and prior to implementation of any major transportation project, coordinate with Caltrans, TAMC, MST, water and sewer service providers, the fire department, and developers to ensure all major infrastructure improvements are constructed efficiently and simultaneously, with as little delay and traffic and environmental disruption as possible. Policy C-1.4: Provide adequate access to the University, golf courses, and other uses in North Seaside. Implementation Plan C-1.4.1: North Seaside Transportation Improvements. Require public and private development projects to install or pay their fair share of the improvements in North Seaside identified in the General Plan on Figure C-4 and Table C-1. Major improvements (per Figure C-4 and Table C-1) that will improve access in North Seaside include: ▪ A-7: Highway 1/Fremont Boulevard Interchange
--	--

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	▪ A-8: Fremont Boulevard/Del Monte Boulevard/Military Avenue ▪ A-9: General Jim Moore Boulevard/Coe Avenue-Eucalyptus Road ▪ A-13: 1st Avenue/Lightfighter Drive ▪ A-14: 2nd Avenue/Lightfighter Drive ▪ A-15: 2nd Avenue/Campus Soccer Field Driveway ▪ A-16: 2nd Avenue/1st Street ▪ B-4: Lightfighter Drive ▪ B-5: Second Avenue north of Lightfighter Drive ▪ B-6: Gigling Road ▪ B-7: Eucalyptus Road ▪ D-1: Route 1 from Route 218 to Fremont Boulevard ▪ D-2: 8th Street Implementation Plan C-1.4.3 Connections to General Jim Moore: Ensure major east-west corridors operate acceptably and connect to General Jim Moore. Specific Plan. The Specific Plan includes a circulation plan that address planned vehicular circulations including the FORA CIP and other planned roadways. An extensive traffic impact analysis was conducted for the Specific Plan EIR. Mitigation measures were identified, and the City will continue to monitor and require supplemental traffic studies as development is proposed within the Specific Plan area. Evidence. The City has adopted policies and programs consistent with the Authority's Development and Resource Management Plan to establish programs and monitor development to assure that it does not exceed resource constraints posed by transportation facilities. An extension traffic impact analysis was conducted for the Specific Plan EIR, and development pursuant to the Specific Plan will be required to pay their fair share impact fees.
(2) Design and construction of an efficient system of arterials in order to connect to the regional transportation system; and	The Transportation Agency for Monterey County (TAMC) is responsible for the preparation of the Regional Transportation Plan (RTP) for Monterey County. The RTP's purpose is to provide policy guidance, plans, and programs for the next twenty years to attain a balanced comprehensive, multimodal transportation system; propose solutions to transportation issues; consider all modes of travel; and identify anticipated funding for projects and programs. TAMC is also responsible

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	for the preparation of the County Congestion Management Plan (CMP), as required by state law. The CMP represents an effort to manage traffic congestion by coordinating transportation, land use, and air quality in Monterey County. The Seaside General Plan Circulation Element works to foster a regional cooperation to address issues related to traffic and congestion. The Seaside General Plan includes the following applicable goals, policies, and implementation plans: Goal C-2: Provide a local circulation system that is integrated with the larger regional transportation system to ensure the economic well-being of the community. Policy C-2.1: Coordinate planning, construction and maintenance of development projects and circulation improvements with adjacent jurisdictions and transportation agencies. Implementation Plan C-2.1.2: Highway 1 Improvements. Coordinate with Caltrans, the Transportation Agency for Monterey County, and adjacent jurisdictions to support the continued improvement of Highway 1. Implementation Plan C-2.1.3: Monitoring Regional Roadway Modifications and Development Projects. Continue to monitor proposed roadway modifications outside the City and revise the General Plan circulation system, if necessary, to reflect changes in these modifications. In addition, the impacts of discretionary development projects and major transportation projects outside the jurisdiction of the City will be monitored and mitigation may be requested. Specific Plan. The Specific Plan includes a circulation element that identifies relevant FORA regional transportation improvements, as well as local improvements that will be the responsibility of the Specific Plan developers. Evidence. The City has adopted General Plan policies regarding design and construction of an efficient system of arterials in order to connect to the regional transportation system and supports the regional agencies (TAMC, FORA) in designing and implementing an efficient transportation system. Additionally, the Specific Plan also includes development standards for transportation facilities located within the Specific Plan Area.
(3) Designate local truck routes to have direct access to regional and national truck routes and to	The Seaside General Plan includes the following applicable goals, policies, and implementation plans: Goal C-1: Provide and maintain a City circulation system that

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

provide adequate movement of goods into and out of the territory under the jurisdiction of the Authority.	promotes safety and satisfies the demand created by new development and redevelopment in Seaside. Policy C-1.7: Reduce impacts on residential neighborhoods from truck traffic and related noise. Implementation Plan C-1.7.1: Truck Routes. Work with the trucking industry, local businesses, and residents to establish truck routes through the City that minimize impacts to residential neighborhoods. Evidence. The City has adopted goals, policies, and implementation plans designating truck routes within the City.
(p) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans to provide regional bus service and facilities to serve key activity centers and key corridors within the territory under the jurisdiction of the Authority in a manner consistent with the Reuse Plan.	The Seaside General Plan includes the following applicable goals, policies, and implementation plans: Goal C-3: Promote the increased use of multi-modal transportation. Policy C-3.1: Support the provision and expansion of regional transit services and support facilities to serve the City. Implementation Plan C-3.1.1: Improved Bus Service. Work with MST to enhance transit service and encourage ridership through the following actions: ▪ Encourage MST to improve existing transit service by providing more bus stop locations and more frequent stops ▪ Coordinate with MST to expand transit routes to North Seaside ▪ Work with MST to identify and receive additional funding sources for expanded transit services. Implementation Plan C-3.1.2: Rail Service. Support the re-establishment of regional rail service on the existing Monterey Branch Line right-of-way. In consideration of this, the City shall consider the following factors during the review of development proposals. ▪ The need for grade separations at major thoroughfares-railroad crossings ▪ The need for improvements to existing at-grade highway-rail crossings due to increased traffic volume ▪ The need for fencing or other barriers to limit access by pedestrians and bicyclists Implementation Plan C-3.1.3: Transit Facilities. During the development review process, coordinate with MST to encourage the provision of park-and-ride lots, transit facilities, safe pedestrian access, transit-oriented development, and

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	other project and circulation design features that encourage fast, safe, and convenient transit service. Implementation Plan C-3.1.4: Transit Plans for Specific Plan Areas. Specific Plan documents shall include transit plans for streets, stops, traffic controls, pedestrian facilities, and signage. The transit plans shall estimate the amount of operating funds required to operate at desired levels of service within the Specific Plan Area. Implementation Plan C-3.1.5: Emerging Technologies in Public Transit. The City will coordinate with MST to pursue upcoming technologies in transportation systems. Policy 3.2: Work with MST to provide special transit services to meet community needs. Implementation Plan C-3.2.1 Special Transit Services: Collaborate with neighboring cities and regional transportation providers to encourage the provision of affordable transportation programs for elderly, the disabled, and youth to desirable locations in the region (e.g., malls, civic and public buildings, youth and senior program providers, CSUMB, community centers). The City should also consider promoting the use of public transit services to special events such as golf tournaments, Blues Festival, and other civic events. Policy C-3.3: Promote mixed use, higher density residential, and employment-generating development in areas where public transit is convenient and desirable. Implementation Plan 3.3.1: Transit-Oriented Development. Through the Specific Plan process, encourage transit-oriented development in the Gigling Specific Plan area (near CSUMB), the Broadway Corridor, the North and South Gateways, and other appropriate areas. Specific Plan. The Specific Plan provides for a transit stop in the center of the planning area to provide regional transit opportunities for those how would live, shop, and recreate in the Specific Plan area. Evidence. The City has adopted goals, policies, and implementation measures to promote the use of alternatives modes of transportation. Additionally, the Specific Plan encourages use of public transit, and also provides trails for pedestrian, bicyclists, and equestrians.
(q) Each land use agency shall adopt policies and programs that ensure development and cooperation in a regional law enforcement program	The Seaside General Plan includes the following applicable goals, policies, and implementation plans: Goal S-3: Protect people and property from criminal activity.

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

that promotes joint efficiencies in operations, identifies additional law enforcement needs, and identifies and seeks to secure the appropriate funding mechanisms to provide the required services.	Policy S-3.1: Cooperate with local, state, and federal law enforcement agencies to reduce the risk of criminal activity. Implementation Plan S-3.1.1: Level of Service. During the budget process, ensure that adequate Police Department facilities and personnel are provided to meet adopted level of service standards. Implementation Plan S-3.1.2: Public Awareness. Hold public education seminars that improve public awareness of both the responsiveness of local law enforcement and ways to reduce criminal activity. Evidence. The City has adopted goals, policies, and implementation plans to cooperate with local, state, and federal law enforcement agencies and to ensure the City's Police Department is adequately funded to provide the adopted level of service standard.
(r) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that ensure development of a regional fire protection program that promotes joint efficiencies in operations, identifies additional fire protection needs, and identifies and seeks to secure the appropriate funding mechanisms to provide the required services.	Fire protection services to the Specific Plan area could be provided by the City of Seaside Fire Department, the Presidio of Monterey Fire Department (Army), the planned fire station in East Garrison (Monterey Regional Fire), or a combination of the three. The Specific Plan EIR requires preparation of a Fire Protection Services Plan prior to issuance of the first grading permit, to identify the most appropriate option for the provision of these services. The EIR also requires the applicant to enter into a DDA with the City to ensure the fees associated with fire protection services are provided. Evidence. Through this Specific Plan and EIR process, the City has coordinated with the various local and regional fire protection agencies and will continue to address this issue as development within the Specific Plan area occurs.
(s) Each land use agency shall include policies and programs in their respective applicable general, area, and specific plans that will ensure that native plants from on-site stock will be used in all landscaping except for turf areas, where practical and appropriate. In areas of native plant restoration, all cultivars, including, but not limited to, manzanita and ceanothus, shall be obtained from stock originating on Fort Ord Territory.	The Specific Plan includes landscape design standards that include providing plant materials and landscape design features that create long-term sustainability. The standards require landscaping include predominantly drought-tolerant native or naturalized plant materials with proven adaptation to the region's climate. Additionally, consistent with the requirements of the Fort Ord Habitat Management Plan (HMP), the Specific Plan EIR contains mitigation measure BIO/COMP-1, which requires salvage and relocation efforts for HMP species within the Specific Plan area. Evidence. The Specific Plan and Specific Plan EIR require landscaping efforts associated with development of the Specific Plan area to be consistent with the requirements of the

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	HMP.
(t) Each land use agency shall include policies and programs in their general, area, and specific plans that will ensure compliance with the 1997 adopted FORA Reuse Plan jobs/housing balance provisions. The policies and programs for the provision of housing must include flexible targets that generally correspond with expected job creation on the former Fort Ord. It is recognized that, in addressing the Reuse Plan jobs/housing balance, such flexible targets will likely result in the availability of affordable housing in excess of the minimum 20% local jurisdictional inclusionary housing figure, which could result in a range of 21% - 40% below market housing. Each land use agency should describe how their local inclusionary housing policies, where applicable, address the Reuse Plan jobs/housing balance provisions.	The Seaside General Plan includes the following applicable goals and policies: GOAL LU-1: Promote a mixture of land uses and a balance of jobs and housing to support a community in which people can live, work, shop, and play. Policy LU-1.2: Encourage development that helps the City achieve a jobs/housing ratio of 1.5:1. Policy LU-1.4: Provide for a variety of housing that complements the employment opportunities in the community. Policy H-2.1: Maintain a variety of housing types, sizes, and prices throughout the City to increase housing choice and ensure that households of all types and income levels have the opportunity to find suitable ownership or rental housing. Specific Plan. The specific plan provides for 1,280 housing units and 2,758 jobs (not including construction jobs). Evidence – Jobs/Housing Balance. According to AMBAG, in 2010, Seaside had 11,335 housing units and 7,790 jobs for a jobs/housing balance of 0.69:1. The project would add 1,280 housing units and 2,758 jobs for a jobs/housing balance of 0.84:1. The project would assist in achieving a more favorable job/housing balance. Evidence - Flexibility and Inclusionary Housing. The Specific Plan would allow for 1,280 residential units, with an additional 256 units identified as “qualified worker lodging in a hotel format”. The 1,280 units would consist of the following: 880 single-family lots (including 26 detached courtyard homes), and 400 apartments (including student apartments). The 880 single-family lots range from about 2,500 square feet to about 7,000 square feet. The project includes a variety of housing types, sizes, and prices, included both ownership and rental opportunities. Residential projects within the Specific Plan are required to comply with Chapter 17.32 of the Seaside Municipal Code addressing affordable housing requirements. Residential projects shall provide at least 20 percent of the total units as inclusionary units restricted for occupancy by moderate-, low- or very low-income households. Twenty percent of the 880 single-family lots equal 176 units. One-third (59 units) would be for very-low income, one-third (59 units) would be for low income, and one-third (58) would be for moderate income. The project includes a variety of housing types, sizes, and

Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan
DRAFT FORA Consistency Determination Analysis Table
Legislative Land Use Decisions

	prices, included both ownership and rental opportunities.
--	---

DRAFT

FINAL MINUTES

CITY OF SEASIDE
PLANNING COMMISSION

SPECIAL MEETING
COUNCIL CHAMBER
Wednesday, September 21, 2016
7:00 PM

1. **CALL TO ORDER**

Chair Owens called the meeting to order.

2. **ROLL CALL - ESTABLISHMENT OF QUORUM**

PRESENT: Dodson, La Mica, Owens, Ross, Spalletta

ABSENT: Lechman

PLANNING COMMISSION

3. **REVIEW OF AGENDA**

No changes were requested.

4. **ORAL COMMUNICATIONS**

Chair Owens invited comments from the public for items that were not on the agenda and had no requests to speak.

5. **APPROVAL OF MINUTES**

6. **BUSINESS ITEMS**

A. **RECOMMENDATION TO THE CITY COUNCIL REGARDING CERTIFICATION OF THE MONTEREY DOWNS AND MONTEREY HORSE PARK AND CENTRAL COAST VETERANS CEMETERY FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (EIR), AMENDMENT TO THE SEASIDE GENERAL PLAN (GPA 12-01), ADOPTION OF THE MONTEREY DOWNS AND MONTEREY HORSE PARK AND CENTRAL COAST VETERANS CEMETERY SPECIFIC PLAN (SPL 12-01), AND AMENDMENT TO TITLE 17 OF THE SEASIDE MUNICIPAL CODE (Z 12-02)**

Chair Owens spoke to the need to respect everyone's opinion, setting the expectation for ancillary comments during this meeting. He reiterated that at the last meeting the Public Hearing was formally closed, but that there may be people who did not have a the opportunity to speak, and he opened the public comment period for only those that did not get a chance to speak at the previous meeting.

1. Ms. Kristofferson indicated she is in support of a horse park, but not of this project. She cannot support the racing portion due to industry issues that are cruel. She supports economic development, but in different areas that benefit in different ways and thinks there

is a high degree of economic risk and environmental detriment.

2. Sarah Clifford spoke representing the Board of Directors for the Monterey Horse Park, indicating they did not repeat a showing of the supporters present at the last meeting, hoping that their comments were on the record. She reminded the Board of the supporting comments made at the last meeting.
3. A Citizen spoke to his experience repairing the trails out on the project site and expressed concern they will be unusable if used by horses or with the increase of usage, and does not think that the terra forma can handle it with the increased usage. As a professional landscaper does not think the area can handle it and does not think that was adequately addressed in the EIR.
4. Julie Blue questioned if the Commissioners read the full EIR report, citing it as a large, complex document and urged them not to hurry through the project. Please take your time making your decision.
5. Paula Betran spoke in support of the bob cat and preserving it's habitat and that cutting down more than one tree is doing something detrimental to the air quality. She requested the Commission to take that into consideration.
6. Stephanie Booth spoke against the project as much to big for Seaside to handle and doesn't see direct benefit to the people in Seaside.
7. Derek Decrazzia spoke in support of the Monterey Horse Park citing in addition to being a competition venue, it will be a campground and trailhead access to the National Monument. He spoke to the amenities, social and educational benefits of the horse park.
8. Cameron Brinkley spoke in opposition to the project. Submitted his comments in writing.
9. Donna Pinwale requested the project be denied. There are so many more types of opportunities and this does not make any sense. She spoke to her personal usage and this development of size and magnitude do not fit the area and we should focus other. Molly Erickson spoke indicating the item is agendized not as a public hearing as a procedural objection.

Legal Counsel Freeman acknowledged that if a new topic comes up for the Commission that has not been discussed previously, it will be open to public comments again. Chair Owens spoke to the fact that every person at the last meeting was allowed to speak for four and a half hours and there was no one who was not allowed to speak. City Contract Staff Wissler-Adam then spoke to the presentation was made two weeks ago, with the applicant and invited comment from the Commission on the presentations. She outlined the recommendations before the Commission. The Commissioners asked questions from staff and consultants.

Mr. Dodson requested clarification if the proposal still contained a thorough bread horse training facility. Ms. Wissler Adam indicated that as outlined in the proposed draft specific plan, the allowed uses, are training facility and racing but the staff recommendation is to not allow horse racing. The Commission can chose which uses they will allow. Mr. Dodson also spoke to the affordable housing questioning when it will be phased in during the project. Ms. Wissler Adam spoke to the affordable housing requirements, and the ordinance requires a certain amount to be built throughout the development site but the implementation phase have not been decided. It is up to the City to approve the timing of construction of the housing elements. Senior Planner Medina indicated as the developer implements eat phase, they have to comply with the distribution as written for each phase.

Commissioner Ross questioned how much more involvement will the Commission have with this project if passed to the City Council to which Ms. Wissler Adam indicated that if the Specific Plan is approved, all applications and permits related to the project will come before the Commission, unless they are determined to be consistent with the SP, they can be approved administratively. Ms. Ross then questioned the development of the access roads and why the infrastructure was not done first to which Ms. Wissler spoke to the access ways that are under the control of FORA, who has a CIPs for the exact infrastructure improvements. The project fees will fund the

CIP improvements and will be done simultaneously. Mr. La Mica questioned the implementation phases. Mr. Dodson, spoke to the economic impact analysis desiring a better understanding of the way the phases will actually proceed. City Attorney Freeman said, assuming the EIR is certified and the SP is adopted, there will be a development agreement and the negotiation of the phasing will take place during that period. Mr. Dodson questioned the job impacts to the project with the removal of the horse racing aspect to which Ms. Beth Palmer indicated that the training Facility projects 700 jobs while the racing itself supports 300 jobs. If the training facility was not built they would lose 1,000 total proposed jobs from the project.

Mr. Owens spoke to rumors that Seaside's funds will be used for this project to which Ms. Wissler explained the executed ENA requires the developer submit money into a fund that expenses are charged to for the project. The applicant is paying for all processes and fees. Mr. Owens clarified a rumor that Seaside does not have inspectors to which Mr. Wissler indicates that the building permit is paid for by fee and the City will have existing staff or contract for inspection services to provide the services. Mr. Owens questioned comments that the horses will ruin the trails and questioned if they are these trails for use by both horses and bikes. Ms. Palmer indicated the horses that are attracted to this project are not trail horses and the project does not propose boarding for trail horses. There are master trail plans under control of the Bureau of Land Management (BLM).

Ms. Ross questioned if any other developers approached the City to be a part of this project two which Mr. Freeman indicated that the City has entered into an ENA so that is not appropriate. Ms. Wisler Adam acknowledged that the City has other properties ripe for development on Fort Old, but there are still other parts that have no developer ENAs for certain parcels.

The Commissioners deliberated on the item. Commissioner Dodson understands it is a contentious issue and expressed concern that there is only enough allocated water for the first three phases. He disagreed with the planning process to go forward with a project without confirmation for full build out. He agreed the project will bring jobs into the city as we have an imbalance of housing to jobs, but the building phases and job creation of the first three guaranteed phases is not consistent with applicable general plan policies: encourage development that helps achieve the jobs to housing ratio. The ratio of 1:1 jobs to houses, will not increase the overall jobs to houses in the first three phases. He does not think this is the right project.

City Attorney Freeman requested the Commissioners consider the agendaized actions, including certification of the EIR, the Specific Plan and the Zoning amendment, specifically asking they address if the EIR adequately address the environmental concerns to make it an adequate report.

Commissioner Ross indicated she does not believe it addresses the needs of the community, thus it is inadequate. She does not believe the submitted comment letters were adequately addressed, specifically referencing the Monterey County Regional Fire District letter as well as the LAFCO letter citing the report does not analyze future applications from other agencies for other projects.

Chair Owens rebutted speaking in support of the total housing to be built and the portion that will be low cost housing, approximately 160 affordable units that will benefit Seaside residents who wish to become homeowners. The ability to provide affordable housing is such a needed element in our community. He spoke in support of the construction jobs that it will create, citing the temporary jobs were never considered in this project. He is in support of the project for the affordable houses, temporary and permanent jobs and thinks this is in the best interest of the City and its residents.

Commissioner La Mica spoke understands both supporting and opposing perspectives, indicating he does not like specific aspects of the project but supports the fact that it will bring jobs into our community.

Commissioner Spalletta spoke to his tenure in Seaside, and to the changes in culture and reputation

in the community and the sense of pride for the City. He spoke in support of growth, understanding the needs for jobs. He agreed that the guidelines presented in the documents will result in positive changes to our community. This land has been available for a long time and the developer has submitted tremendous effort for this project. He spoke in support of the project and the approval of the documents.

Commissioner Ross spoke personally to the fact her children are underemployed and that she does not see the jobs created by this project being of the caliber to help those that are underemployed. Just because other developers have not come, does not mean they won't ever come. She thinks there should be five different projects and not just one.

On motion by Commissioner Spalletta and seconded by Commissioner La Mica and passed by the following vote the Planning Commission adopted Resolution No. 16-11 recommending that the City Council make findings pursuant to CEQA, certify the SEIR for the Project, adopt a Mitigation Monitoring and Reporting Program, and adopt a Statement of Overriding Considerations.

RESULT:	Approved
MOVER:	Vice Chair Michael Spalletta
SECONDER:	Chair Arlington La Mica
AYES:	John Owens, Arlington La Mica, Michael Spalletta
NOES:	Denise Ross, Keith Dodson
ABSENT	Mike Lechman

On motion by Commissioner Spalletta and seconded by Commissioner La Mica and passed by the following vote the Planning Commission Adopted Resolution No. 16-12 recommending that the City Council approve the General Plan Amendment and adopt the Specific Plan as presented by staff and the Board of Architectural Review.

RESULT:	Approved
MOVER:	Vice Chair Michael Spalletta
SECONDER:	Chair Arlington La Mica
AYES:	John Owens, Arlington La Mica, Michael Spalletta
NOES:	Denise Ross, Keith Dodson
ABSENT:	Mike Lechman

On motion by Commissioner Spalletta and seconded by Commissioner La Mica and passed by the following vote the Planning Commission Adopted Resolution 16-13 recommending that the City Council approve the Amendment to Title 17 of the Seaside Municipal Code as presented.

RESULT:	Approved
MOVER:	Vice Chair Michael Spalletta
SECONDER:	Chair Arlington La Mica
AYES:	John Owens, Arlington La Mica, Michael Spalletta
NOES:	Denise Ross, Keith Dodson
ABSENT:	Mike Lechman

7. REPORTS FROM COMMISSIONERS

No reports from Commissioners.

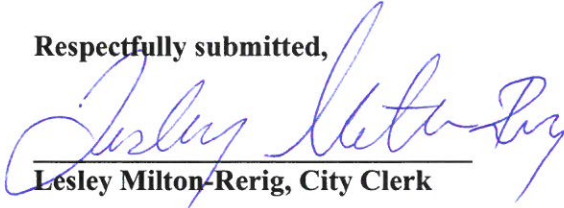
8. **REPORTS FROM STAFF**

No reports from staff.

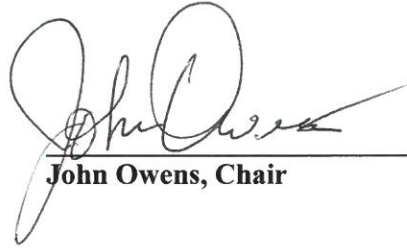
9. **ADJOURNMENT**

On motion, the meeting was adjourned at 8:27 PM.

Respectfully submitted,



Lesley Milton-Rerig, City Clerk



9-28-16
John Owens, Chair

2015 AHP Equine Industry Survey

by Zoetis | Jul 31, 2015 | AHP Equine Industry Survey |

Equine Industry Poised for Growth, Third American Horse Publications Survey Shows

Horse ownership and involvement has stabilized and is likely to rise, according to key findings from survey sponsored by Zoetis

The equine industry has found stability and shows positive signs of growth, especially among young adult horse owners and event participants, according to results of a survey by American Horse Publications (AHP) sponsored by Zoetis. The survey included responses from over 10,662 horse owners.

Among the highlights, the third online nationwide equine industry survey shows¹:

- For 2016, 88.6% of respondents expect to own or manage the same number of horses or more horses.
- This year, 93% of respondents plan to enter the same or more competitions than last year, and 95.1% expect to compete in the same or more events in 2016.
- A high number of respondents (84.7%) rely on their veterinarians for vaccination advice, and respondents are increasingly relying on veterinarians for deworming advice.

“It appears the industry is beginning to recover from the Great Recession of 2008, as indicated by the percentage of respondents participating in the industry, either through owning/managing horses or competing with them, at the same or greater levels than three years ago,” said Jill Stowe, Ph.D., associate professor of agricultural economics at the University of Kentucky, who analyzed the data and consulted on the results.

The survey was conducted from Jan. 6 through April 1, 2015. It sought to gauge participation trends and management practices in the U.S. equine industry, to identify critical issues facing the equine industry as perceived by those who own or manage horses, and to better understand issues pertaining to horse health and nutrition.

AHP conducted similar surveys in 2012 and 2010. *AHP is a nonprofit professional association dedicated to promoting excellence in equine media and better understanding and communication within the equine publishing industry.*

Industry Stability

The 2015 survey results show 70.6% of respondents own or manage the same number of horses they did last year, suggesting a continued increase in overall industry stability. In addition, 20.7% of respondents expect to own or manage more horses in 2016, while 11.4% expect to own fewer horses. In the 2012 survey, only 18.7% said they expected to own or manage more horses the following year, and 14.7% expected to have fewer.

Looking at horse ownership by age, the future appears bright for the equine industry, with 22.1% of respondents ages 18 to 24 reporting they own or manage more horses in 2015 than they did in 2014, while only 7.6% of respondents age 65 or over reported owning or managing more horses. This pattern is consistent with expectations of horse ownership in 2016, as 36.2% of respondents ages 18 to 24 said they expect to own or manage more horses than they did this year.

Additionally, there appears to be stability in the number of competitions respondents expect to attend this year and next year. Similar to the 2012 survey, most of the increase in competitions is among younger age groups.

Relationship With the Horse

Based on a new question this year, the survey results reflected the complex relationship between humans and horses. Respondents were most likely to view their horses as family members (67.4%), companion animals (62.7%), performance partners (57.6%) and/or best friends (55.9%). A smaller percentage of respondents viewed their horses as an investment (22.4%), livestock animal (21.1%) or employee (7.8%).

Results also show an estimated one of every three horses owned/managed by respondents is idle, retired or otherwise not working.

Horse Health Care

Respondents continue to identify veterinarians as integral to horse health decisions, including vaccinations and deworming.

Veterinarians continue to have a strong influence over vaccination decisions, with 84.7% of respondents saying they discuss with their veterinarian what vaccinations their horse should receive. Those discussions most often include vaccinating for West Nile virus, Western and Eastern equine encephalomyelitis, equine herpesvirus and equine influenza.

A majority of respondents vaccinate once a year (58% to 72%, depending on the antigen). However, about 20% of respondents vaccinate against these diseases twice a year. Vaccination also presents an opportunity for veterinarians to discuss the American Association of Equine Practitioners (AAEP) vaccination recommendations with their clients, as just 30% of respondents said they reviewed these recommendations with their veterinarian.

It appears the influence of veterinarians on deworming approaches is increasing, as there was a slight increase compared with previous surveys in the percentage of respondents who had a fecal egg count (FEC) conducted and who said their veterinarian is involved in developing their deworming schedule.

Rotational deworming was the most common approach used (55.3%), despite recent recommendations from AAEP to conduct FECs and deworm based on results, which came in second (38.2%), according to the results. Less than half of respondents (47.5%) indicated their veterinarian recommended an FEC. Nearly half (46%) of horse owners deworm their horses four to six times per year. Almost 80% of respondents said parasite drug resistance was an issue of concern, similar to 2012.

Overwhelmingly, respondents deworm their horses themselves, at 88.6%, which was nearly identical to the 2012 survey results. But about half of the respondents (48%) indicated their veterinarian is involved in developing their horses' deworming schedules. This trend has continued to increase, from 15.7% in 2010 to 44.3% in 2012.

A slight decline in the number of insured horses continues to be a trend in 2015 survey, with just 21.7% of respondents indicating their horses were insured. This presents an opportunity for equine veterinarians to make their clients aware of insurance and to reinforce the need for preventive care, including additional diagnostic and treatment options.

The Unwanted Horse

As in the 2010 and 2012 surveys, the issue of unwanted horses (and what to do with them) remains the most significant challenge facing the industry today; however, the percentage of respondents identifying the issue has been declining (62.9% in 2010, 55.8% in 2012 and 53.7% in 2015). The cost of horsekeeping (47.1%) and overbreeding (37.3%) continue to be important issues, but land-related issues, such as loss of riding areas and competition for open space, are becoming increasingly important.

Concern over disease outbreak remains low among horse owners, as just 5.8% indicated outbreak was an issue. While concern is low, veterinarians can help horse owners lower their risk of infection by advising vaccine protocols to meet horses' risk levels, including travel and show requirements, such as following the vaccine requirements of the United States Equestrian Federation (USEF).

About the Survey

The 2015 survey was limited to those who currently own or manage at least one horse, are 18 years of age or older and live in the United States. The survey collected 11,307 responses, of which 10,662 responses were useable.

“As a sponsor of the survey, Zoetis is proud to bring additional insight to the equine industry on topics horse owners and managers find important, so we can work together as partners,” said Katherine Russo, marketing manager, Equine Vaccines.

“We are thrilled with the cooperation of our members and the industry in participating in this survey,” said Christine W. Brune, AHP executive director. “The survey once again demonstrated that our association can provide vital statistics for the equine industry through the power of the media.”

The survey results will be released by Zoetis and AHP members through their own channels beginning in July. Excerpts from this study must be referenced as “2015 AHP Equine Industry Survey sponsored by Zoetis.”

About Zoetis

Zoetis (zō-EH-tis) is the leading animal health company, dedicated to supporting its customers and their businesses. Building on more than 60 years of experience in animal health, Zoetis discovers, develops, manufactures and markets veterinary vaccines and medicines, complemented by diagnostic products and genetic tests and supported by a range of services. In 2014, the company generated annual revenue of \$4.8 billion. With approximately 10,000 employees worldwide at the beginning of 2015, Zoetis serves veterinarians, livestock producers and people who raise and care for farm and companion animals with sales of its products in 120 countries. For more information, visit www.zoetisUS.com.

#

¹ American Horse Publications. 2015 AHP Equine Industry Survey. July 2015.

ATTACHMENT 1

Monterey County Resource Management Agency			
WATER ALLOCATION TO COUNTY PROJECTS ON FORT ORD			
7/2/2015			
Project	Groundwater County (710 afy)	Groundwater County/Marina Sphere (10 afy)	Recycled ⁵ (134 afy)
<u>Approved Allocations</u>			
East Garrison development ¹	470.0	-	-
MPC EVOC ²	52.5	-	-
Veterans Cemetery ⁴	2.2	-	-
<u>"Informal" Allocation</u>			
Ord Market Lease ³	-	1.5	-
Total Allocated to Date	524.7	1.5	-
BALANCE AVAILABLE	185.3	8.5	134.0
¹ Resolution 05-268, Oct 4, 2005. Development is required to install dual pipe system, but there is no formal requirement that EG use reclaimed water.			
² Agreement Regarding Public Safety Officer Training Facilities, Oct 22, 2002, pgh 4.e, pgh 11. Agreement requires MPC to use recycled water where feasible and when available.			
³ Ord Market Disposition, Development and Lease Agreement, Sept 6, 2006, para 7.13, limits water use by tenant to 1.5 afy			
⁴ Central Coast Veterans Cemetery MOU, April 28, 2009			
⁵ FORA allocated 134 afy of recycled water availability to the County to supplement the groundwater allocation. MCWD required the East Garrison development to be dual-plumbed for recycled water, where an estimated 75 afy could be used for landscape and open space areas. In addition, the County required the MPC EVOC project to use recycled water where feasible, which has been estimated to be potentially 20 afy. However, use of recycled water is contingent on MCWD providing the infrastructure to deliver the recycled water, and MCWD has stated they do not intend to provide the infrastructure until the groundwater allocation is being utilized, not just allocated. It is uncertain if MCWD will extend the infrastructure out to use recycled water at East Garrison or the MPC/EVOC projects. Until/unless MCWD installs (or at least plans for such in their CIP) recycled water lines, the County presumes it is limited to 720 afy of groundwater. In that regard, to date the County has committed 526.2 afy of groundwater, leaving 193.8 afy available for future sub-allocations.			
<u>Possible Considerations for Future Water Allocations</u>			
Travel Camp Property			
FORHA (Trailheads/Restrooms)			
Laguna Seca Annex			
Ord Market comm'l devel			
NEC Blanco Rd/Reservation Rd			
UC-MBEST Temporary Ag Use			
Monterey Downs/Monterey Horse Park			

AGREEMENT NO. A-06404
AGREEMENT BETWEEN THE UNITED STATES OF AMERICA
AND THE
MONTEREY COUNTY WATER RESOURCES AGENCY
CONCERNING
ANNEXATION OF FORT ORD INTO ZONES 2 AND 2A
OF THE
MONTEREY COUNTY WATER RESOURCES AGENCY

This Agreement is entered into this 21st day of September, 1993, by and between the Government of the United States of America ("Government"), represented by the United States Army, and the Monterey County Water Resources Agency ("MCWRA"), a political subdivision of the State of California, represented by the Monterey County Board of Supervisors.

1. Purpose and Authority:

a. Purpose: The purpose of this agreement is to provide the terms and conditions under which the Fort Ord Lands will be annexed into the Zones.

b. Authority:

(1) By California law, the MCWRA is responsible for managing the surface water and groundwater resources in the Salinas Valley and providing flood control and water conservation services throughout Monterey County. The authority for the MCWRA to enter into this agreement is cited in California Water Code, Appendix 52-43 (Appendix "A"). The MCWRA has the authority to annex the Fort Ord Lands overlying the Seaside Basin based on a Memorandum Of Agreement between the MCWRA, the MPWMD, and the Pajaro Valley Water Management Agency, dated May 10, 1993 (Appendix "B").

(2) The authority for the Government to enter into this agreement was provided in Public Law 101-510 (National Defense Authorization Act for Fiscal Year 1991), Section 2101, dated November 5, 1990 and amended by Public Law 102-190 (National Defense Authorization Act for Fiscal Years 1992 and 1993), Section 2702, dated December 5, 1991. The funding for the Government to enter into this agreement was provided by Public Law 101-519 (Military Construction Appropriations Act, 1991), dated November 5, 1990.

2. Definitions:

a. United States Army Engineer District, Sacramento, California ("Corps"): A field operating agency of the Army Corps of Engineers, a major command of the Army; the agency that will execute this agreement on behalf of the Government;

b. Fort Ord: An existing Army installation in north Monterey County currently operating under the Army Forces Command; Fort Ord will realign to an enclave under provisions of Public Law 101-510 (Defense Base Closure and Realignment Act of 1990); on October 1, 1994, this installation will no longer be known as Fort Ord and will instead be known as the Presidio of Monterey Annex under the Army Training and Doctrine Command; disposal of excess Fort Ord property pursuant to Public Law 101-510 could begin before October 1, 1994 provided the Army has issued a Record of Decision on the Environmental Impact Statement for the Disposal and Reuse of Fort Ord; parts of Fort Ord were leased on a long term basis prior to the realignment decision;

c. Presidio of Monterey Annex ("POM Annex"): The proposed residual military mission enclave remaining on Fort Ord after its realignment; this annex shall continue operations in support of the Department of Defense and other federal agencies in the Monterey Peninsula area; the boundaries of the POM Annex should be finalized by early 1994;

d. Presidio of Monterey ("POM"): An existing Army installation in Monterey County operating under the Army Forces Command; on October 1, 1994, will be under the Army Training and Doctrine Command; POM is the home of the Defense Language Institute; POM will also be responsible for the proposed POM Annex;

e. Reserve Center ("RC"): An existing Army Reserve Center located on 12 acres of Fort Ord not contiguous to the POM Annex; the RC will remain after the realignment of Fort Ord;

f. Fort Ord Lands: A term denoting all lands within the existing boundaries of Fort Ord including: property needed to support the Army's future mission requirements (POM Annex and RC); property under a long term lease; property awaiting disposal either in a caretaker status or under an interim lease; and property already disposed;

g. Salinas Basin: The Salinas River Groundwater Basin; the Salinas Basin generally underlies the northwestern portion of Fort Ord;

h. Seaside Basin: The Seaside Groundwater Basin; the Seaside Basin generally underlies the southwestern portion of Fort Ord;

i. Monterey Peninsula Water Management District ("MPWMD"): A California Special District created by the State Legislature in 1978 having water management authority over the Seaside Basin;

j. Project: A future, long term, reliable, potable water system for the POM Annex/RC and other areas; the Project will provide at least 6,600 acre-feet per year which will permit all Salinas Basin wells on Fort Ord Lands to be shut down except during

SUBJECT: Annexation of Fort Ord into Zones 2 and 2A of the Monterey County Water Resources Agency

emergencies; stopping all pumping from the Salinas Basin on Fort Ord Lands is necessary to mitigate seawater intrusion; the MCWRA is currently developing such a Project to supply water to the Fort Ord Lands, Marina, Salinas, Toro Park, and perhaps other areas in north Monterey County; it is also possible that another water agency, district, utility, or purveyor could develop a smaller scale Project to supply water for just the Fort Ord Lands;

k. Project Implementation: The potable water system cited in paragraph 2.j. shall be considered "implemented" upon both the completion of construction and the delivery of potable water to POM Annex/RC from the completed water system;

l. Zones: Zones 2 and 2A of the MCWRA which are the zones of benefit for the MCWRA Nacimiento and San Antonio Dams, respectively.

3. Problem and Scope:

a. Fort Ord overlies two groundwater basins, the Salinas Basin and the Seaside Basin. See Appendix "C" for a map. Most of the installation's facilities and all of its potable wells overlie the Salinas Basin. The portion of the installation which overlies the Seaside basin has less development consisting mostly of family housing and recreational facilities. Fort Ord's only active well in the Seaside Basin is a non-potable well to irrigate the golf courses. Fort Ord's peak annual withdrawal from the Salinas basin from 1980 to 1992 was 6,600 acre-feet in 1984; and the peak withdrawal from the Seaside Basin from 1986 to 1989 was 424 acre-feet in 1989.

b. The Salinas Basin has had a problem with seawater intrusion since the 1940's. Seawater intrusion occurs when groundwater levels fall below sea level. This is caused by pumping more water out of an aquifer than is being recharged into it. Pumping by Fort Ord has contributed to this problem, but only to a limited extent as the Fort Ord pumping from the Salinas Basin from 1988 to 1992 averaged only 5,200 acre-feet per year and the estimated Salinas Basin overdraft (amount that pumping exceeds recharge) is about 50,000 acre-feet per year. Seawater intrusion has forced the abandonment of many wells along the coast, and required Fort Ord to relocate their well field inland in 1986. In contrast to the Salinas Basin, the Seaside Basin appears to be in a nearly balanced condition.

SUBJECT: Annexation of Fort Ord into Zones 2 and 2A of the Monterey County Water Resources Agency

c. Because of the magnitude of the seawater intrusion problem, a regional solution is needed. Without a regional solution, Fort Ord's remaining potable wells will eventually become contaminated by seawater. The MCWRA is developing a Project to provide a regional water supply system. The MCWRA is also developing the Castroville Sewage Reclamation/Irrigation Project. Both of these projects are intended to mitigate the effects of seawater intrusion in the Salinas Basin.

d. As long as there is an Army enclave on Fort Ord Lands, the Army will need a reliable potable water supply. In view of the limited life of Fort Ord's remaining potable wells, annexation is prudent because it will permit access to water produced by a future MCWRA project. Additionally, annexation will facilitate the disposal and reuse of Fort Ord Lands, and enhance the market value of any property which is sold. This is because, without annexation, the existing Salinas Basin overdraft could significantly limit the water rights of Fort Ord Lands except for the POM Annex/RC.

e. There have been questions raised over Fort Ord's right to withdraw groundwater from the Salinas Basin. Fort Ord/POM Annex/RC claim certain legal rights to the use of water from the Salinas Basin due to their federal status. However, the MCWRA claims limited regulatory authority over Fort Ord/POM Annex/RC's use of Salinas Basin water with respect to withdrawals of polluted or contaminated groundwater; and the MCWRA also claims ownership rights over water used by Fort Ord/POM Annex/RC which is released into the Salinas Basin from the Nacimiento and San Antonio Dams. Annexation and the terms of this agreement will clarify the water rights of both parties.

4. Terms and Conditions:

a. Execution of this agreement, which includes the Annexation Assembly and Evaluation Report (Appendix "D"), shall be deemed to be a petition by the Government, as the present owner of all Fort Ord Lands, to permit the annexation of the Fort Ord Lands by the MCWRA into Zones 2 and 2A. The MCWRA shall thereafter promptly commence proceedings for such annexation, and will diligently and in good faith pursue such annexation proceedings to completion.

b. The parties have discussed and agreed on payment of a fee by the Government totaling \$7,400,000, as authorized by Public Law 101-510 and appropriated by Public Law 101-519. The basis for this fee is discussed in section IV.F.1. of the attached Annexation

SUBJECT: Annexation of Fort Ord into Zones 2 and 2A of the Monterey County Water Resources Agency

Assembly and Evaluation Report. Fort Ord will be annexed into the Zones in consideration of the payment of the fee. The Government shall have no further financial responsibility or obligation of any kind to the MCWRA with respect to existing water project costs, e.g., Nacimiento and San Antonio Reservoirs. Further, the MCWRA releases the Government from any and all claims related to Fort Ord's groundwater withdrawals from the Salinas Basin prior to this agreement, and from any claims related to any Government action that may have caused or contributed to seawater intrusion in the Salinas Basin.

c. After execution of this agreement and until Project Implementation, Fort Ord/POM Annex/RC may withdraw a maximum of 6,600 acre-feet of water per year from the Salinas Basin, provided no more than 5,200 acre-feet per year are withdrawn from the 180-foot aquifer and 400-foot aquifer. The 6,600 and 5,200 acre-feet thresholds correspond to the annual peak (1984) and recent average (1988-1992) amounts of potable water Fort Ord has withdrawn from the Salinas Basin (does not include pumpage from the non-potable golf course well in the Seaside Basin). Groundwater withdrawals from the Salinas Basin by Fort Ord/POM Annex/RC for the purpose of environmental restoration shall not count toward the 6,600 and 5,200 acre-feet thresholds. Additionally, groundwater withdrawals from the non-potable golf course well shall not count toward the 6,600 and 5,200 acre-feet thresholds because this well is located in the Seaside Basin. The MCWRA agrees not to object to any Fort Ord/POM Annex/RC withdrawal under 6,600 acre-feet per year, except in compliance with California Water Code Appendix, Chapter 52, Section 22. If the MCWRA is concerned about a withdrawal, the MCWRA will first notify the Fort Ord/POM Annex Commander. The parties agree to make every effort to first resolve seawater intrusion disputes through mutual agreement. In any event, the MCWRA, after notice from the Fort Ord/POM Annex Commander, will not object to withdrawals in support of war, national emergency, contingency operation, troop mobilization, or unexpected mission requirements, and such withdrawals shall not count toward the 6,600 and 5,200 acre-feet thresholds. The Government will develop a water conservation program at Fort Ord/POM Annex/RC and will institute, in its discretion, measures to conserve water. The Government will participate in MCWRA water conservation initiatives and programs as mutually agreed by the parties.

d. Until Project Implementation, Fort Ord/POM Annex shall have exclusive ownership and operation of potable wells #24, #29, #30, #31, #32, Jacks well, and Pilarcitos well in the Salinas Basin, and the non-potable golf course well #1 in the Seaside Basin. See Appendix "C" for the locations of these wells. Jacks well, Pilarcitos well, and well #24 are inactive; well #32 has

SUBJECT: Annexation of Fort Ord into Zones 2 and 2A of the Monterey County Water Resources Agency

recently failed; and the rest are active. The MCWRA agrees not to object to Fort Ord/POM Annex/RC replacing any existing well or adding any new well on Fort Ord Lands subject to the conditions described in paragraph 4.c. above. Also until Project Implementation, Fort Ord/POM Annex/RC shall be the sole user of the aforementioned wells, provided that the Government, in its sole discretion, may permit the use of the Salinas Basin wells by others for use on Fort Ord Lands, or may provide water from the Salinas Basin wells to others on Fort Ord Lands in connection with any reuse plans. The Government shall retain all reasonable and necessary utilities and reserve all necessary easements to operate and maintain all Fort Ord/POM Annex/RC wells. After Project Implementation, Fort Ord/POM Annex shall retain ownership of the aforementioned wells, and the Government agrees to stop pumping from the Salinas Basin wells except for an emergency such as fire fighting or a situation as described at the end of paragraph 4.c. above. Project Implementation shall be no cause to curtail or stop pumping from any Seaside Basin well on Fort Ord Lands.

e. The Government will not pay any MCWRA assessments (such as standby charges, water delivery charges, water project assessments, etc.) until a MCWRA developed Project is implemented. This applies to not only the portions of Fort Ord retained by the Army, but also to any other portions of Fort Ord transferred to federal entities. See paragraphs 4.j.(3) and 4.j.(4) for a discussion of these future assessments.

f. The annexation into the Zones shall provide the Government with appropriate representation in Zone administration and decision making.

g. Should future litigation, regulation or other unforeseen action diminish the total water supply available to the MCWRA, the MCWRA agrees that it will consult with the Fort Ord/POM Annex Commander. Also, in such an event, the MCWRA agrees to exercise its powers in a manner such that Fort Ord/POM Annex/RC shall be no more severely affected in a proportional sense than the other members of the Zones.

h. If prior to Project Implementation, any Fort Ord/POM Annex well (including any located in the Seaside Basin) becomes contaminated with seawater, or is adversely affected by regulatory or legal action, the MCWRA shall cooperate with the Government in finding an interim water supply; shall assist the Government in any permit processes necessary to obtain such an interim water supply; and shall provide the same services to the Government as it would to any other municipal water supplier in the Zones under similar circumstances. The Government will bear the costs of obtaining

SUBJECT: Annexation of Fort Ord into Zones 2 and 2A of the Monterey County Water Resources Agency

such an interim water supply. Such costs will not include the cost of MCWRA staff time in providing services to the Government hereunder. The MCWRA will continue to monitor the rate of seawater intrusion, and will keep the Fort Ord/POM Annex Commander informed as to: the rate of seawater intrusion; the progress of plans for its Project; and the estimated remaining life of the Fort Ord/POM Annex wells. The MCWRA shall pass to the Fort Ord/POM Annex Commander any information they may obtain related to the continuing yield of Fort Ord/POM Annex wells located in the Seaside Basin.

i. As part of the disposal of Fort Ord, the Government is considering transferring the ownership and operation of the Fort Ord wells and water distribution system to a successor water purveyor, utility, or agency. Under such a transfer, the MCWRA agrees that the Government, in its sole discretion, may transfer its applicable water rights under this agreement to the successor water purveyor, utility, or agency. The MCWRA also agrees not to object to such a successor obtaining or developing a water supply from outside the Salinas Basin for the Fort Ord Lands.

j. If the opportunity arises and it is in the Government's best interests, the Government, in its sole discretion, may participate in a Project developed by an organization other than the MCWRA. In any event, Government participation in a MCWRA developed Project would be contingent on the following:

(1) The MCWRA shall, upon Project Implementation, continue to provide water and related services to Fort Ord/POM Annex/RC and shall provide for Government representation in MCWRA decisions affecting Fort Ord/POM Annex/RC, and in MCWRA's administration of the Project.

(2) The water allocation to be made available to POM Annex/RC from the Project shall be based only on the water needed to support the Army's future, long term mission requirements, or as otherwise agreed to by the parties. By the time of Project Implementation, all excess Fort Ord Lands should have been disposed. The water allocation to be made available to the disposed property from the Project shall be an issue between these property owners and the MCWRA.

(3) The capital cost for the Project shall be distributed among all properties within the Zones in an equitable manner. The Government would favorably consider a funding plan similar to the MCWRA's proposed funding plan for the Castroville Sewage Reclamation/Irrigation project in which approximately 50 percent of the capital cost is funded by the MCWRA members receiving the water, and 50 percent is funded by other members in

SUBJECT: Annexation of Fort Ord into Zones 2 and 2A of the Monterey County Water Resources Agency

the Zones. An acceptable funding plan will also require that the capital cost paid by each member receiving water from the Project generally be proportional to their water allocation from the system. In any funding plan, the Government will reserve the right to pay the capital cost through either periodic assessments, or by a lump sum amount. The Government does not intend to be a party to any agreement in which military appropriations fund an inequitable portion of the capital cost of the Project. The \$7,400,000 annexation fee shall not count toward the Government's share of the Project's capital cost.

(4) The MCWRA's cost to operate and maintain (O&M) the Project should be distributed on the basis of water usage or allocation. If the MCWRA proposes to distribute O&M costs on the basis of property area, then the Government only intends to pay such an assessment and any applicable standby charges on the Fort Ord Lands needed to support Army missions, i.e., POM Annex and RC. The Government will not pay O&M assessments or standby charges for any Fort Ord property in a caretaker status awaiting disposal. Any federal entities which have acquired portions of Fort Ord will not pay standby charges on property which is unsuitable for development.

(5) Prior to either the initiation or commitment of any military appropriations to the Project by the Government, the MCWRA shall complete all appropriate feasibility studies and environmental reviews. With respect to only Fort Ord Lands under Army control, participation in the Project, or any other water supply project is subject to compliance with applicable federal laws and regulations, e.g., Army Regulation 420-41 and Federal acquisition regulations; and subject to final review and approval by the Government.

(6) As Fort Ord/POM Annex/RC will, upon Project Implementation, rely on the MCWRA's ability to provide potable water, the MCWRA shall defend the rights of Fort Ord/POM Annex/RC to a water supply upon implementation of the Project as though those rights were its own.

5. Funding:

a. The Government hereby obligates, pursuant to section 2702 of Public Law 102-190, \$7,400,000 for the annexation fee, the basis of which is set forth in Appendix D, section IV.F.1. Upon completion of the annexation, the Government shall make payment to the MCWRA in the amount of \$7,400,000.

SUBJECT: Annexation of Fort Ord into Zones 2 and 2A of the Monterey County Water Resources Agency

b. The \$7,400,000 annexation fee shall be the maximum Government payment in consideration for the annexation of the Fort Ord Lands and the execution of this agreement.

c. The parties recognize that this agreement is subject to the availability of funds provided by Congress.

6. Duration of Agreement:

a. If the Government decides to participate in a Project developed by an organization other than the MCWRA pursuant to paragraph 4.j. of this agreement, the MCWRA agrees to either terminate this agreement or negotiate modifications to it if so requested by the Government.

b. In the event the Army ends its presence at Fort Ord, the MCWRA agrees to either terminate this agreement or negotiate modifications to it if so requested by the Government.

c. If Fort Ord has not been annexed to the Zones by September 30, 1995, the MCWRA agrees to either terminate this agreement or negotiate modifications to it if so requested by the Government.

d. If the MCWRA has not achieved reasonable progress by December 31, 1999, toward implementation of a MCWRA developed project; or a MCWRA developed Project has not been implemented by December 31, 1999, and the Government is not convinced that the MCWRA can achieve Project Implementation within a time frame deemed reasonable by the Government, then the MCWRA agrees to either terminate this agreement or negotiate modifications to it if so requested by the Government.

e. In the event this Agreement is terminated before the annexation has been completed, the MCWRA, in its sole discretion, may continue with the annexation; however, in such circumstance, the Government shall not make any payment for such annexation. In the event this agreement is terminated after the Fort Ord Lands have been annexed into the Zones, the Government will not demand return of the payment. In the event this agreement is terminated by the Government pursuant to any of the above conditions, the MCWRA agrees not to file any claim against the Government related to the termination.

SUBJECT: Annexation of Fort Ord into Zones 2 and 2A of the Monterey County Water Resources Agency

7. Binding on Successors: This agreement shall be binding upon and shall inure to the benefit of the non-federal successors and assigns of the Government's interest in the property now known and referred to as Fort Ord, California, except that this agreement shall not exempt any such non-federal successor or assign, whether of fee title or some lesser interest in the property, from any ordinance or other regulation enacted by the MCWRA or from any assessment, charge, tax, or other monetary exaction levied by the MCWRA. All such non-federal successors and assigns shall be subject to regulation and be subject to assessment, charge, tax, or other monetary exaction to the extent allowed by law at the time such enactment or levy is in effect.

FOR THE UNITED STATES
OF AMERICA

FOR THE MONTEREY COUNTY
WATER RESOURCES AGENCY



Acting Assistant Secretary
of the Army for Installations,
Logistics and Environment



Monterey County
Board of Supervisors

Date

9/10/93

Date

September 21, 1993

Appendices:

- A - California Water Code, Appendix 52-43
- B - Addendum No. 1 to the Memorandum Of Agreement Between the MCWRA, the Monterey Peninsula Water Management District, and the Pajaro Valley Water Management Agency
- C - Location of the Existing Wells
- D - Annexation Assembly and Evaluation Report

§ 52-43. Annexation to zones

Sec. 43. (a) In addition, or as an alternative, to the procedures for amending zones described in Section 7, any territory in the agency lying within the watershed within which a zone is situated may be annexed to that zone pursuant to this section. Territory which is in, or annexed to, one zone may be annexed to another zone pursuant to this section.

(b) The following applies with respect to the annexation of new territory to any zone pursuant to this section:

(1) (A) A petition for annexation by election signed by 25 percent of the freeholders residing in the territory proposed to be annexed as shown by the last equalized assessment roll of the county shall be presented to the board.

(B) The petition shall designate specifically the boundaries of the territory proposed to be annexed and its assessed valuation as shown by the last equalized assessment roll and shall ask that the territory be annexed to the zone. The petition shall be accompanied by a bond in the sum of not less than one hundred dollars (\$100), to be approved by the board and filed with the clerk of the board as security for the payment by the petitioners of the reasonable cost of the election on annexation, in the event that at the election less than a majority of the votes cast are in favor of annexation. The petition shall be verified by the affidavit of one of the petitioners.

(C) The petition shall be published by the petitioners for at least two weeks preceding its hearing in a newspaper of general circulation published in the zone, if there is one, or, if not, in a newspaper of general circulation published in the agency, together with a notice stating the number of signers of the petition, the time when the petition will be presented to the board and that all persons interested may appear and be heard. It shall not be necessary to publish the names of the signers.

(D) At the time specified for the hearing, the board shall hear the petition and may adjourn the hearing from time to time. Upon final hearing of the petition, the board, if it approves the petition as originally presented or in a modified form, shall make an order describing the exterior boundaries of the territory proposed to be annexed and ordering that an election be held in such territory for the purpose of determining whether or not the territory shall be annexed to the zone. The order shall fix the day of the election, which shall be within 60 days from the date of the order, and shall show the boundaries of the territory proposed to be annexed to the zone and shall set forth the measure to be submitted to the voters of such territory and shall designate the precincts, polling places and election officers for such election and state the times between which the polls shall be open. The order shall be published pursuant to Section 6066 of the Government Code. This order shall be entered in the minutes and is conclusive evidence of a due presentation of a proper petition, and of the fact that each of the petitioners was, at the time of the signing and presentation of the petition, qualified to sign.

(E) The election shall be held and conducted as provided in Chapter 1 (commencing with section 22000) of Part 1 of Division 12 of the Elections Code and sample ballots and polling place cards shall be mailed as provided in section 10012 of the Elections Code. If a majority of the votes in the territory proposed to be annexed at an election called therein by the board for that purpose are in favor of the annexation, the clerk of the board shall make and cause to be entered in the minutes and endorsed on the petition an order approving the petition and the petition shall be filed. The entry is conclusive evidence of the fact and regularity of all prior proceedings of every kind required by law and of the facts stated in the entry. The board at its next regular meeting after the entry shall, by an order, alter the boundaries of the zone and annex to it the territory described in the petition. The order of the board is conclusive evidence of the validity of all prior proceedings leading up to the annexation and recited in the order, and from and after the order the territory is part of the zone. If, at the election, less a majority of the votes in a territory proposed to be annexed are in favor of the annexation of the territory to the zone, the signers of the petition shall, within 10 days after the canvassing of the votes of the election, pay to the board the reasonable cost of the election and, if not paid within 10 days, the board may sue on the bond to recover the cost of the election. If the result of the election is against annexation, the board shall, by order, disapprove the petition and enter the order in its minutes. No other proceeding shall be taken in relation thereto until the expiration of six months from the presentation of the petition, except to collect the costs of the election.

(2) (A) A petition for annexation without election signed by the owners of real property in the territory proposed to be annexed which real property represents at least 75 percent of the total assessed valuation of real property in the territory as shown by the last equalized county assessment roll, shall be presented to the board.

(B) The petition shall designate specifically the boundaries of the territory and the assessed valuation of real property therein as shown by the last equalized county assessment roll and shall show the amount of real property owned by each of the petitioners and its assessed valuation as shown by the last equalized county assessment roll. The petition shall ask that the territory be annexed to the zone. The petition shall be verified by the affidavit of one of the petitioners.

(C) The petition shall be published by petitioners at least two weeks preceding the hearing in a newspaper of general circulation published in the zone, if there is one, or, if not, in a newspaper of general circulation published in the agency. With the petition there shall be published a notice stating the number of signers of the petition, the time when the petition will be presented to the board and stating that all persons interested may appear and be heard. It shall not be necessary to publish the names of the signers. A printed copy of the petition and notice as so published shall be mailed pursuant to Sections 53520 to 53523, inclusive, of the Government Code.

(D) At the time designated the board shall hear the petition and any person interested, and may adjourn the hearing from time to time. Upon the hearing of the petition, the board shall determine whether or not it is in the best interests of the zone and the territory that the territory be annexed to the zone and the board may modify the boundaries of the territory proposed to be annexed as set forth in the petition by decreasing the area of the territory. If the board upon final hearing determines that it is in the best interests of the zone and of the territory proposed to be annexed that the territory be annexed, it shall make an order describing the boundaries of the territory proposed to be annexed and shall alter the boundaries of the zone and annex to it the territory described in the petition and the territory is then a part of the zone.

(3) A petition for annexation without election signed by 100 percent of the owners of real property in the territory proposed to be annexed may be presented to the board. The petition shall designate specifically the boundaries of the territory and shall ask that the territory be annexed to the zone. The petition shall be verified by the affidavit of one of the petitioners. The board shall determine, upon reviewing the petition, whether or not it is in the best interest of the zone and the territory that the territory be annexed to the zone. The board may modify the boundaries of the territory proposed to be annexed as stated in the petition by decreasing the area of the territory. If the board determines that it is in the best interest of the zone and of the territory proposed to be annexed that the territory be annexed, the board shall make an order describing the boundaries of the territory proposed to be annexed and shall alter the boundaries of the zone and annex to it the territory described in the petition, and the territory is then a part of the zone.

(4) No petition or request for annexation pursuant to paragraphs (1) to (3), inclusive, may be accepted by the board if a zone annexation petition involving any of the same territory is pending before it for annexation to the same zone.

(5) An order for annexation may be by ordinance or resolution. Whenever any new territory is annexed to a zone, the territory thereupon becomes subject to all the liabilities and entitled to all the benefits of the zone. Any order for annexation may provide for, or be made subject to, the payment of a fixed or determinable amount of money for the acquisition, transfer, use, or right of use of all or any part of the existing property, real or personal, of the zone. The board may provide that payment of the amounts shall be either: (1) in lump sums or (2) in semiannual installments with interest thereon at a rate not to exceed 12 percent over a period not to exceed 10 years beginning on July 1 following the next succeeding March 1. If the payment is in semiannual installments, the board shall provide in the ordinance that the total of each sum to be paid by each parcel shall constitute a lien on the parcel as of noon on the next succeeding March 1, the same as the lien for general agency and zone taxes; that the semiannual installments shall be paid and collected at the same time and in the same manner and by the same persons as, and together with and not separately from, general agency and zone taxes and shall be delinquent at the same time and thereafter subject to the same thereafter sell, lease, or otherwise dispose of the property in the manner prescribed by law for counties.

(Stats.1990, c. 1159 (S.B.2580), § 41.)

Historical and Statutory Notes

Derivation: Former § 52-31, enacted by Stats.1947, c. 699, § 31.

A

MEMORANDUM OF UNDERSTANDING
CONCERNING THE PROPOSED EAST GARRISON/ PARKER FLATS
LAND-USE MODIFICATION

Between the
FORT ORD REUSE AUTHORITY
MONTEREY PENINSULA COLLEGE
COUNTY OF MONTEREY
U.S. BUREAU OF LAND MANAGEMENT
and
U.S. ARMY
as
PARTIES TO THE AGREEMENT

This MEMORANDUM OF UNDERSTANDING (hereinafter referred to as "this MOU") is made and entered into between the BUREAU OF LAND MANAGEMENT (hereinafter referred to as "BLM"), DEPARTMENT OF THE ARMY (hereinafter referred to as "ARMY"), FORT ORD REUSE AUTHORITY (hereinafter referred to as "FORA"), the COUNTY OF MONTEREY (hereinafter referred to as "COUNTY"), and MONTEREY PENINSULA COLLEGE (hereinafter referred to as "MPC") (hereinafter referred to collectively as "the Parties").

BACKGROUND

To help resolve conflicting land-uses and conveyance requests (i.e. Public Benefit Conveyance requests versus Economic Development Conveyance requests), FORA and County jointly prepared a proposal entitled "Assessment, East Garrison - Parker Flats Land Use Modifications Fort Ord, California" (Revised May 2002) (hereinafter referred to as "the Assessment"). In addition to this document, FORA, County and MPC have entered into an agreement dated October 21, 2002, entitled "Agreement Regarding Public Safety Officer Training Facilities (hereinafter referred to as "the Agreement").

Under the "Assessment" and the "Agreement", BLM and Army are being asked to help resolve the various Parker Flats/East Garrison land-use issues by modifying conveyance requests approved under various memoranda of understanding and Statements of Concurrence. In March of 1995, BLM's California State Director and Army's Deputy Assistant Secretary approved a memorandum of understanding detailing the transfer to BLM of 15,086.58 acres of the former Fort Ord to be managed under the Installation-Wide Multi-species Habitat Management Plan (hereinafter referred to as "the Army/BLM MOU"). The Army/BLM MOU approves the transfer to BLM of the Military Operations Urban Terrain (hereinafter referred to as "the MOUT") facility (parcel F1.7.2), and all of the lands within parcel F1.9.1 and F1.4.2 near ranges 43-48. On August 24, 1993, the County Board of Supervisors adopted a unanimous resolution supporting BLM's request for land conveyance under a Statement of Concurrence. The conveyance request that was approved included the proposed transfer of the MOUT facility to BLM, as well as all of the lands within parcels F1.9.1 and F1.4.2.

The primary purpose of this MOU is to clarify the terms with which the various parties agree in order to allow various land-use modifications to take place. The secondary

purpose of this MOU is to provide a record which documents how the original Army/BLM MOU is modified by the Assessment and the Agreement.

WHEREAS, it is the intent of County, FORA and MPC to resolve competing land-use issues within the East Garrison and Parker Flats regions; and,

WHEREAS, to help resolve those conflicts, County, FORA and MPC propose to relocate a public safety officer training facility to the Parker Flats region from the East Garrison region; and

WHEREAS, MPC proposes to acquire and operate the former MOUT facility with a boundary other than that presently scheduled to be transferred to the BLM under the Army/BLM MOU; and

WHEREAS, MPC proposes to acquire and operate lands within Range 45 for training center development and use; and

WHEREAS, some of the land that MPC proposes to utilize within Range 45 is scheduled for transfer to BLM under the Army/BLM MOU; and

WHEREAS, Army will conduct remedial and removal actions that will enable the transfer of these properties to FORA and then to MPC and supports the resolution of the land use conflicts noted in the Agreement; and

WHEREAS, BLM has concerns with the feasibility of managing lands directly behind (and adjacent to) the proposed MPC firing range facility at Range 45 under the Installation-Wide Multi-species Habitat Management Plan; and

WHEREAS, the parties recognize that existing uses, as well as proposed uses, will and do create a certain amount of noise and potential hazard to adjacent habitat; and

WHEREAS, pursuant to the Assessment, County and FORA propose additional habitat areas to be added into the natural resources management area (hereinafter referred to as "the NRMA") in order to offset the net impact to plants and animals protected under the Installation-Wide Multi-species Habitat Management Plan.

NOW THEREFORE, in furtherance of the objectives set forth above, and in accordance with all terms, conditions, limitations and exceptions provided below and in all applicable guidelines, regulations, laws, and executive orders pertaining to future uses of the former Fort Ord, the parties agree as follows:

1. BLM withdraws its claim to the MOUT in favor of MPC through County and/or FORA under an existing Agreement between Army and FORA for property transfer. MPC relinquishes its Public Benefit Conveyance rights to lands at the East Garrison in accordance with the Agreement. The parcel referred to within this agreement corresponds to the modified polygon for the parcel F.1.7.2 MOUT facility as depicted in Figure 7 on page 15 of the "Assessment."

2. MPC agrees to operate the MOUT under the general terms and conditions set forth in the Agreement, including the provisions for use by the U.S. Military, the FBI, the Monterey County Sheriff's Department and BLM.
3. As part of its Remedial Action Program, Army agrees to construct a system of fuel breaks on parcel F1.7.2 and the Range 45 development area to protect surrounding lands from accidental fire starts, and agrees to coordinate with the BLM, County, FORA, MPC and the Salinas Rural Fire Protection District on the width and location of the said fuel breaks. Said fuel breaks may include existing roadbeds adjacent to or near the MOUT facility and Range 45 development area. The firebreaks shall thereafter be maintained by MPC. These fuel breaks are in addition to those required to be established and managed by the Army/BLM MOU "Borderlands Requirements", within adjacent development areas. Other than the parcels mentioned above, long-term maintenance of habitat areas will pass to BLM upon transfer.
4. In consideration of BLM relinquishing to MPC its interest in the land required for the extension of Range 45, MPC agrees to take title to the "baffle zones" on either side of Range 45 and to provide reasonable security measures, such as "no trespassing" signage, to prevent the public from entering the area. For the purposes of this agreement, the term "reasonable security measures" need not include fencing, although MPC shall have the right to install security fencing, as it deems necessary or appropriate for security purposes. The approximate configuration of this "baffle zone" is shown in Figure 1 attached to this MOU, hereinafter referred to as "Range 45 Reserve".
5. FORA agrees to assume responsibility for habitat management detailed within the Habitat Management Plan for the Range 45 Reserve, including without limitation the "baffle zone" to the extent provided in Paragraph 15 of the Agreement.
6. In consideration of BLM relinquishing its interest in certain habitat areas and public open space recreation opportunities of the NRMA in order to facilitate the Agreement, County shall relinquish to BLM Public Benefit Conveyance Parcel L20.4 subject to the BLM's consideration of permitted use of the parcel by the Sports Car Racing Association of the Monterey Peninsula, and BLM agrees to consider management of other habitat areas identified in the Assessment to ensure that rare habitats are properly managed under the provisions of the Habitat Management Plan.
7. The parties acknowledge the potential for the operation of the firing ranges at the MOUT and Range 45 to raise concerns within the local community about noise. MPC agrees to implement feasible management practices in the operation of the MOUT facility and Range 45, consistent with their character and use as firing ranges, to mitigate noise disruption for the surrounding community. Management of the MOUT and Range 45 shall include coordination with BLM on techniques to mitigate noise production.
8. The parties acknowledge the potential for the operation of the MOUT to raise concerns within the local community about smoke. MPC agrees to communicate and coordinate with BLM and Salinas Rural Fire Protection District when considering the use and authorization of smoke devices at the MOUT. This communication and coordination

should include notifying BLM and Salinas Rural Fire Protection District when smoke may be used in connection with training.

9. BLM, MPC, FORA, and County agree to coordinate utility and communications needs in this area of the former Fort Ord.

10. The parties acknowledge that the portion of Eucalyptus Road identified as Segment L20-18 will be closed, and that Eucalyptus Road will be re-routed to avoid habitat around the easterly side of MPC's facilities within Polygons 19a, 21a, 21b and 21c. FORA, MPC and County agree to work with the Army and BLM regarding the re-routing of Eucalyptus Road to assure continued access to BLM's headquarters in Parker Flats and provisions for access to public parking for the BLM lands within the NRMA.

11. Subject to the provisions of this MOU, BLM and Army concur in the Agreement.

12. The parties agree to implement the conditions specified in pages C-1 through C-3 of the Assessment as the U.S. Fish & Wildlife Service accepted those conditions on May 28, 2002. A meeting will be held to establish responsibilities of each party prior to habitat disturbing activities.

DEPARTMENT OF THE ARMY

By: Thomas E. Rederle
Its Director, Hampton Field Office, ARMY BRAC

3 Aug 2004
Dated

BUREAU OF LAND MANAGEMENT

By: _____
Its _____

Dated

COUNTY OF MONTEREY

By: _____
Its _____

Dated

FORT ORD REUSE AUTHORITY

By: _____
Its _____

Dated

MONTEREY PENINSULA COLLEGE

By: _____
Its _____

Dated

should include notifying BLM and Salinas Rural Fire Protection District when smoke may be used in connection with training.

9. BLM, MPC, FORA, and County agree to coordinate utility and communications needs in this area of the former Fort Ord.

10. The parties acknowledge that the portion of Eucalyptus Road identified as Segment L20-18 will be closed, and that Eucalyptus Road will be re-routed to avoid habitat around the easterly side of MPC's facilities within Polygons 19a, 21a, 21b and 21c. FORA, MPC and County agree to work with the Army and BLM regarding the re-routing of Eucalyptus Road to assure continued access to BLM's headquarters in Parker Flats and provisions for access to public parking for the BLM lands within the NRMA.

11. Subject to the provisions of this MOU, BLM and Army concur in the Agreement.

12. The parties agree to implement the conditions specified in pages C-1 through C-3 of the Assessment as the U.S. Fish & Wildlife Service accepted those conditions on May 28, 2002. A meeting will be held to establish responsibilities of each party prior to habitat disturbing activities.

DEPARTMENT OF THE ARMY

By: _____
Its _____

Dated

BUREAU OF LAND MANAGEMENT

By: James Webb, Asst
Its Acting State Director

6/27/05
Dated

COUNTY OF MONTEREY

By: Bob Kinds
Its Chair, Board of Supervisors

20 Dec 05
Dated

FORT ORD REUSE AUTHORITY

By: Richard D. Doolan
Its _____

10/2/05
Dated

MONTEREY PENINSULA COLLEGE

By: Therese Anon
Its Superintendent / President

9-14-05
Dated

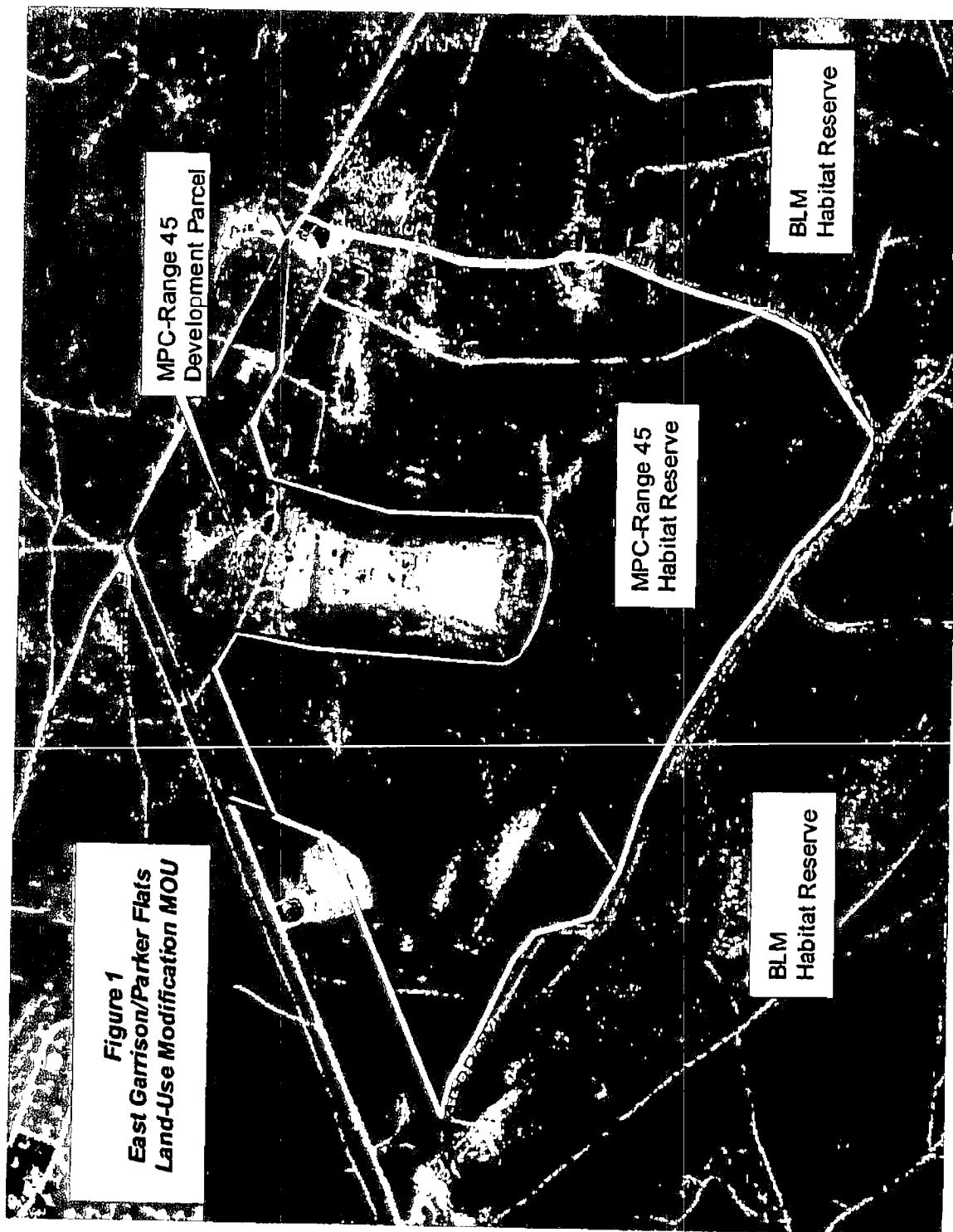


Figure 1
East Garrison/Parker Flats
Land-Use Modification MOU

**ASSESSMENT
EAST GARRISON – PARKER FLATS
LAND USE MODIFICATIONS
FORT ORD, CALIFORNIA**

Prepared for:
County of Monterey & Fort Ord Reuse Authority
Monterey County, California

Prepared by:
Zander Associates
150 Ford Way, Suite 101
Novato, California 94945

May 2002

Table of Contents

List of Tables and Figures	ii
----------------------------	----

1.0 INTRODUCTION.....	1
2.0 BACKGROUND.....	1
2.1 The Habitat Management Plan (HMP)	1
2.2 The Fort Ord Base Reuse Plan	3
2.3 Land Conveyance.....	3
2.4 East Garrison Stakeholders	4
2.4.1 Monterey Peninsula College	4
2.4.2 The County of Monterey	4
3.0 PROPOSED MODIFICATIONS.....	5
3.1 Overview	5
3.2 East Garrison.....	5
3.2.1 Existing Conditions and Plans	5
3.2.2 Proposed East Garrison Land Uses	9
3.3 Parker Flats	9
3.3.1 Existing Conditions and Plans	9
3.3.2 Proposed Parker Flats Land Uses.....	11
3.4 Military Operations/Urban Terrain Facility (MOUT).....	11
3.4.1 Existing Conditions and Plans	11
3.4.2 Proposed MOUT Land Uses	14
4.0 ASSESSMENT	14
4.1 HMP Land Use Categories and Requirements	16
4.1.1 East Garrison.....	16
4.1.2 Parker Flats	17
4.1.3 MOUT	18
4.2 Habitat Acreage.....	18
4.2.1 East Garrison.....	18
4.2.2 Parker Flats	19
4.2.3 MOUT	21
4.3 HMP Species.....	21
4.3.1 East Garrison.....	21
4.3.2 Parker Flats	23
4.3.3 MOUT	25
5.0 CONCLUSIONS AND RECOMMENDATIONS	25

Appendices

Appendix A	HMP Species
Appendix B	Habitat & Species Assessment Tables & Maps
Appendix C	Conditions

List of Tables

Table 1	East Garrison Land Use Summary
Table 2	East Garrison Habitat Loss Summary
Table 3	Overall Habitat Losses/Gains
Table 4	Summary of Habitat and Species Losses/Gains

List of Figures

Figure 1	HMP Map
Figure 2	East Garrison, Parker Flats, and MOUT Facility Locations
Figure 3	Habitat Types at East Garrison
Figure 4	Proposed Development Footprint at East Garrison
Figure 5	Parker Flats Development Concept
Figure 6	MPC EVOC Facility and Firing Range with Listed Species Locations
Figure 7	Proposed Adjustments at MOUT Facility
Figure 8	HMP Buildout Alternative
Figure 9	MPC Boundary Adjustments in Relation to JSA Polygons, Parker Flats

1.0 INTRODUCTION

The Fort Ord Reuse Authority (FORA) and the County of Monterey (County) propose boundary changes and other modifications to the *Installation-Wide Multispecies Habitat Management Plan for Former Fort Ord* (HMP). The modifications are intended to resolve land use conflicts stemming from a long history of ordnance and explosives use of certain land areas along with parallel and competing conveyance requests for surplus property at the former base. The modifications would accommodate proposed new uses in appropriate areas and would primarily affect lands designated for development and lands designated for development with reserve areas or restrictions on the HMP map (Figures S-1 and 4-1 and Attachment A to the HMP). To a lesser extent, the proposed changes would affect small areas of land designated as habitat reserve. The goals, objectives and overall intent of the HMP would not be altered and the protections afforded those species addressed in the HMP (HMP Species) would not be reduced as a result of the proposed modifications. On the contrary, an increase in the overall acreage of designated habitat reserve lands occupied by HMP Species would occur. In addition, the habitat corridor connections between designated reserve areas in the southerly half of the base and those in the northerly portion would be expanded and enhanced. The following report presents the background against which the modifications and boundary changes are proposed, describes the changes that would result from the proposal, analyzes the potential HMP consistency and biological resource implications of the changes, and provides conclusions and recommendations based on available data, coordination with interested parties, and best professional judgement.

2.0 BACKGROUND

2.1 The Habitat Management Plan (HMP)

The Fort Ord HMP establishes a habitat conservation area and corridor system and parcel-specific land use categories and management requirements for all lands on the former base. The conservation areas, corridors and parcel-specific land use designations are illustrated on Figures S-1 and 4-1 and Attachment A of the HMP (reproduced here as Figure 1). Four general categories of parcel-specific land use are identified: habitat reserve, habitat corridor, development with reserve areas or restrictions, and development with no restrictions. Resource conservation and management requirements and responsible parties for each parcel or group of parcels with habitat designations are discussed in Chapter 4 of the HMP.

A general goal of the HMP is to promote preservation, enhancement and restoration of habitat while allowing implementation of a community-based reuse plan that supports economic recovery after closure of Fort Ord. The HMP assumes a reuse development scenario for the entire base that will result in the removal of up to 6,300 acres of existing vegetation and wildlife habitat. Losses to 18 special-status species (HMP Species) are also accounted for by the HMP (Appendix A). The establishment of approximately 16,000 acres of habitat reserves with about 400 additional acres of connecting habitat corridors is the primary measure to minimize the impacts of reuse on HMP Species. In addition, the HMP further conditions development on approximately 1,800 additional acres by requiring reserve areas or restrictions on those lands.

Notes:

- 1) Polygon boundaries in development areas may be modified, and development polygons may be subdivided or aggregated, before or after transfer. These types of changes in development polygons will not require modifications to this HMP.
- 2) The E11b parcels do not reflect the public benefit conveyance still being coordinated by FORA, the County of Monterey, and Monterey Peninsula Regional College. A portion of these parcels will likely be transferred as public benefit conveyance transfers.

--- Boundary of the Former Fort Ord

HMP Management Categories



Habitat Reserve

Habitat Corridor



Habitat Corridor



Portion of Habitat Corridor with Allowance for Future Development (See Figure 4-3 and the Discussion of Parcels L20.2.1 and L20.2.2 in Chapter 4)



Development with Reserve Areas or Development with Restrictions



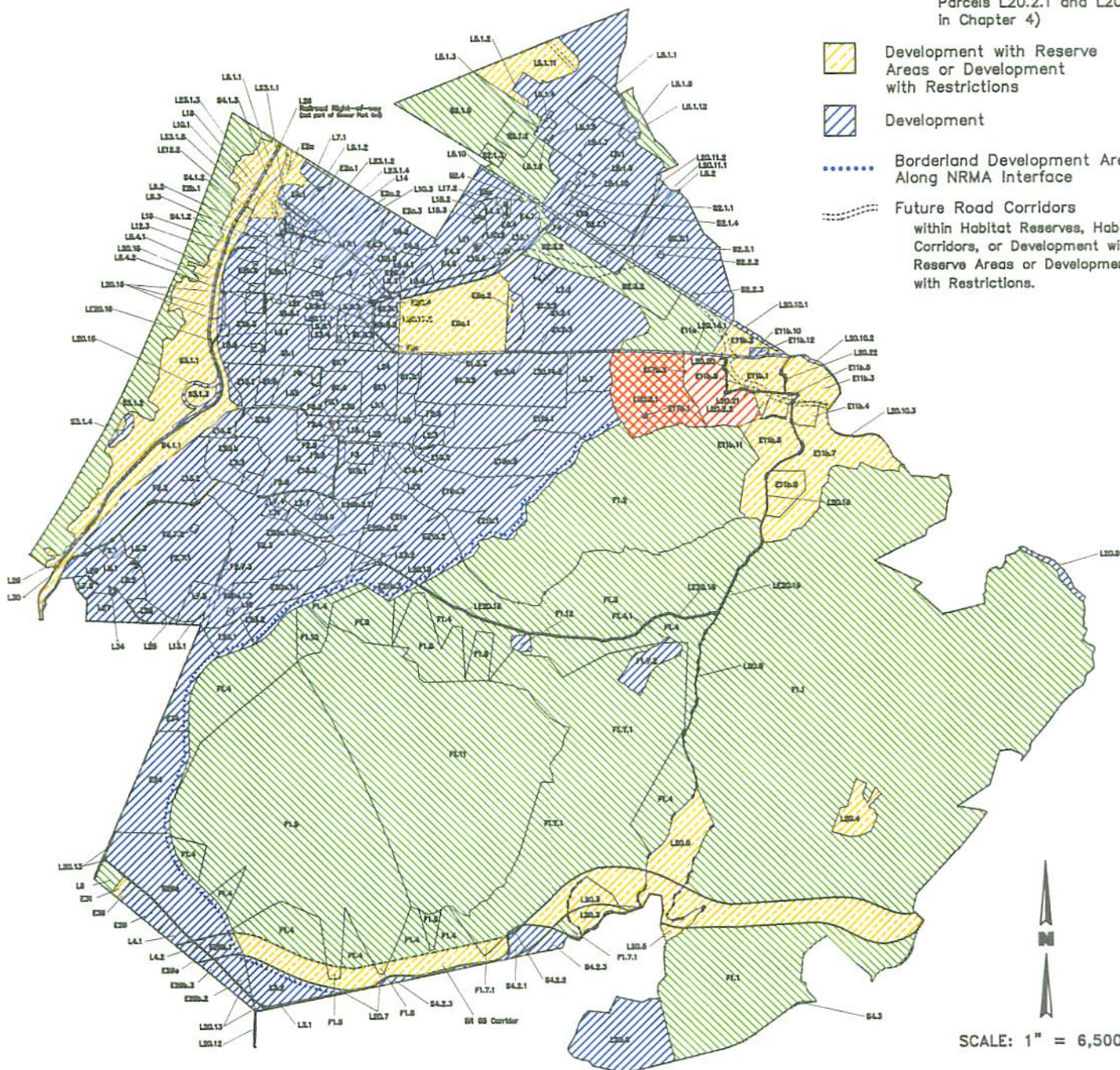
Development



Borderland Development Areas Along NRMA Interface



Future Road Corridors within Habitat Reserves, Habitat Corridors, or Development with Reserve Areas or Development with Restrictions.



DEPARTMENT OF THE ARMY
SACRAMENTO DISTRICT,
CORPS OF ENGINEERS
SACRAMENTO, CALIFORNIA

Zander Associates
Environmental Consultants
150 Ford Way, Suite 101
Novato, CA 94945
(415) 897-8781

Habitat Management Plan Map
for Former Fort Ord
December 1996

Figure
1

Page 2

Generic land use designations have been assigned by the HMP to allow for broad flexibility in reuse of specific development parcels. Changes in specific use of development parcels within the range of uses described through the U. S. Department of the Army (Army) environmental review process do not require revisions to the HMP. Furthermore, polygon boundaries in development areas may be modified and development polygons may be subdivided or aggregated without necessitating modifications to the HMP. Other changes to the HMP may be allowed if the affected landowners and the U.S. Fish and Wildlife Service (Service) can agree that the overall goals and objectives of the HMP will not be compromised.

2.2 The Fort Ord Base Reuse Plan

The Fort Ord Base Reuse Plan (Base Reuse Plan), adopted by the FORA Board of Directors on June 13, 1997, serves as a general plan for the former base. The Base Reuse Plan was developed in concert with the HMP to avoid conflicts in general land use designations. Land uses approved in the Base Reuse Plan are: residential, multiple educational facilities, office and research parks, light industrial and business parks, commercial and retail businesses and a variety of visitor-serving uses such as lodging, golf courses, beach and community parks and equestrian facilities.

The Base Reuse Plan defines land uses for the 28,000 acres that comprise former Fort Ord. Consistent with the HMP, the Base Reuse Plan designates nearly 17,000 acres, or over 60 percent of the land on the former base as habitat reserve area. About 4,000 acres are planned for parks, open space, visitor serving, and public facility uses. Over 2,300 acres are designated for educational or research uses, about 2,000 acres for residential units and approximately 1,500 acres for business and retail uses. The remainder of the land will be needed for infrastructure/rights of way or will be retained by the Army.

Most of the areas proposed for development in the Base Reuse Plan are designated for development without restrictions in the HMP. However, some Base Reuse Plan development areas (e.g. future road corridors, the East Garrison Area) have HMP-related issues that will require coordination with the Service and other resource agencies prior to final siting and design of development.

2.3 Land Conveyance

Through the base closure process, federal agencies have first priority for receiving surplus military land. Thus, the Bureau of Land Management (BLM) has already received approximately 7,200 acres of designated habitat reserve lands which represent the first installment in the establishment of the Natural Resource Management Area (NRMA) that is a core component of the HMP. State and local government agencies as well as non-profit organizations that serve a specific public purpose are also eligible to receive property at no cost or at a discounted price through the Public Benefit Conveyance (PBC) process. The California Department of Parks and Recreation, the University of California and others either have or will receive both habitat reserve and development lands through this process. An additional conveyance mechanism known as the Economic Development Conveyance (EDC) process allows local reuse authorities (in this case FORA and, through FORA, its member agencies) to request property specifically for economic development purposes in conformance with an

approved land use plan. FORA (and its member agencies) can then hold the property and manage it over the long term or sell it and retain the proceeds to finance infrastructure and other improvements necessary to support future development. Most of the developable lands at former Fort Ord are being transferred through FORA to its member agencies for future sale using the EDC process. However, some PBC and other requests remain that create potential land use conflicts, especially in the East Garrison area of the former base.

2.4 East Garrison Stakeholders

A number of organizations have requested lands at East Garrison but the principal parties with valid conveyance requests are Monterey Peninsula College and the County of Monterey.

2.4.1 Monterey Peninsula College

Monterey Peninsula College (MPC) is seeking an area on former Fort Ord for development of law enforcement officer training facilities which include classrooms, firing ranges and an Emergency Vehicle Operations Center (EVOC). MPC estimates that about 86 acres would be required to develop an EVOC facility, classrooms and administrative offices, depending on the location, surrounding terrain and land uses. Firing ranges would also be necessary and could involve rehabilitation and reuse of former Army ranges. MPC has a U. S. Department of Education approved PBC request for lands in the East Garrison area for development of these law enforcement officer training facilities. However, because of land use conflicts with the other prospective uses for that area (see below), the Army, MPC, the County and FORA have worked together to identify potential areas elsewhere on the former base that could suit MPC's needs.

2.4.2 The County of Monterey

For the County, the East Garrison area represents one of two major reuse opportunities at the former base. The other area of focus for the County, generally referred to as Parker Flats, consists of some 1200 acres of undeveloped lands in the central part of the base. The development of housing has been the County's primary concept for its lands at Parker Flats with various other land uses and requests for land under the County's aegis considered at East Garrison. However, for a number of reasons, including the potential danger of locating housing in former ordnance training areas, the County has recently directed its emphasis toward the provision of work-force housing at East Garrison. With this shift in emphasis, the County also hopes to accommodate MPC and the other potential stakeholders, depending on their ability to pay for the land and to complete a project. These other potential stakeholders include:

- Arts Habitat with a request to occupy the historic structures in the central East Garrison area for a live/work fine arts-oriented community.
- Monterey Horse Park with a request for a world-class equestrian center hosting international events, possibly including the 2012 Olympic equestrian events.
- Esselen Indian Nation with a request for an area that would primarily be preserved in native habitat with allowance for construction of an interpretive center, museum and village site with small campsites or "circles" and two sweat lodges.
- Akicita Luta Intertribal Society with a request for a cultural and educational preserve area where various Native American activities (e.g. cultural events, pow wows) can be held.

3.0 PROPOSED MODIFICATIONS

3.1 Overview

To resolve the land use conflicts posed by competing requests in the East Garrison Area, and to meet the County's need for developing work-force housing at former Fort Ord, MPC, the County and FORA have generally agreed to an exchange of uses between the Parker Flats and East Garrison areas. Under the agreement, MPC would locate its law enforcement training center and EVOC facility at Parker Flats. MPC would reuse existing Range 45 just south of Parker Flats and also be granted management responsibility of the former Military Operations/Urban Terrain (MOUT) facility for use in cooperation with other law enforcement agencies. The County would pursue community-based residential development at East Garrison instead of Parker Flats and would accommodate other potential East Garrison stakeholders at both locations.

The County has entered into an Exclusive Negotiating Rights Agreement with a private developer (Woodman Development) for master planning and development of lands in both the Parker Flats and East Garrison areas. Woodman Development sponsored a weeklong design charrette at Fort Ord in early November 2001 to address the issues, opportunities and constraints associated with planning for both areas. The charrette brought together all the various and potential stakeholders and resulted in design concepts for East Garrison and Parker Flats that would accommodate most of the desired land uses proposed for each area. However, some elements of these concepts would require minor boundary adjustments and other modifications to existing plans, notably the HMP and, to a lesser extent, the Base Reuse Plan.

A draft assessment of the proposed modifications was produced in February 2002 and presented to various representatives of key agencies and elected officials during late February and March 2002. Because of its implications relative to the HMP, the assessment was presented to all levels of U.S. Fish and Wildlife Service staff including the Ventura Field Office, the California-Nevada Operations Office and the Headquarters Office in Washington D.C. Subsequent technical meetings were held with representatives of the Service, the California Department of Fish and Game (CDFG), the Army, BLM, FORA, the County and others in late March and early April 2002 to further review the proposed modifications and address outstanding biological resource issues. Based on this review process, the draft assessment was revised; boundary and other adjustments were made, the analysis was expanded, and conditions were added to provide assurances that no net loss in habitat values would result from the proposed modifications.

Following is a summary of the existing HMP and Base Reuse Plan designations at East Garrison, Parker Flats and the MOUT facility and proposed modifications that would occur in each of these areas based on the planning, design and review process described above.

3.2 East Garrison

3.2.1 Existing Conditions and Plans

The East Garrison area, as identified by both the Base Reuse Plan and the HMP (Base Reuse Plan polygon 11b, HMP polygon series E11b), comprises about 730 acres at the easterly edge of

former Fort Ord (Figure 2).¹ The area is the location of older barracks, a parade ground, various buildings and other former military facilities (Cantonment Area) separated from the central or main garrison at Fort Ord and connected to it by Inter-Garrison Road. Barloy Canyon Road follows a north-south alignment through the center of the polygon and serves as a connector road to the Laguna Seca raceway during events held there. The Army's former Ammunition Supply Point (ASP) is located at the southerly end of the East Garrison polygon along Barloy Canyon Road. The developed portions of the East Garrison polygon occupy approximately 153 acres with the remainder of the polygon in annual grasslands, oak woodland and maritime chaparral habitats (Table 1 and Figure 3). The polygon is located at a transition between oak woodland and maritime chaparral habitats.

TABLE 1: EAST GARRISON LAND USE SUMMARY

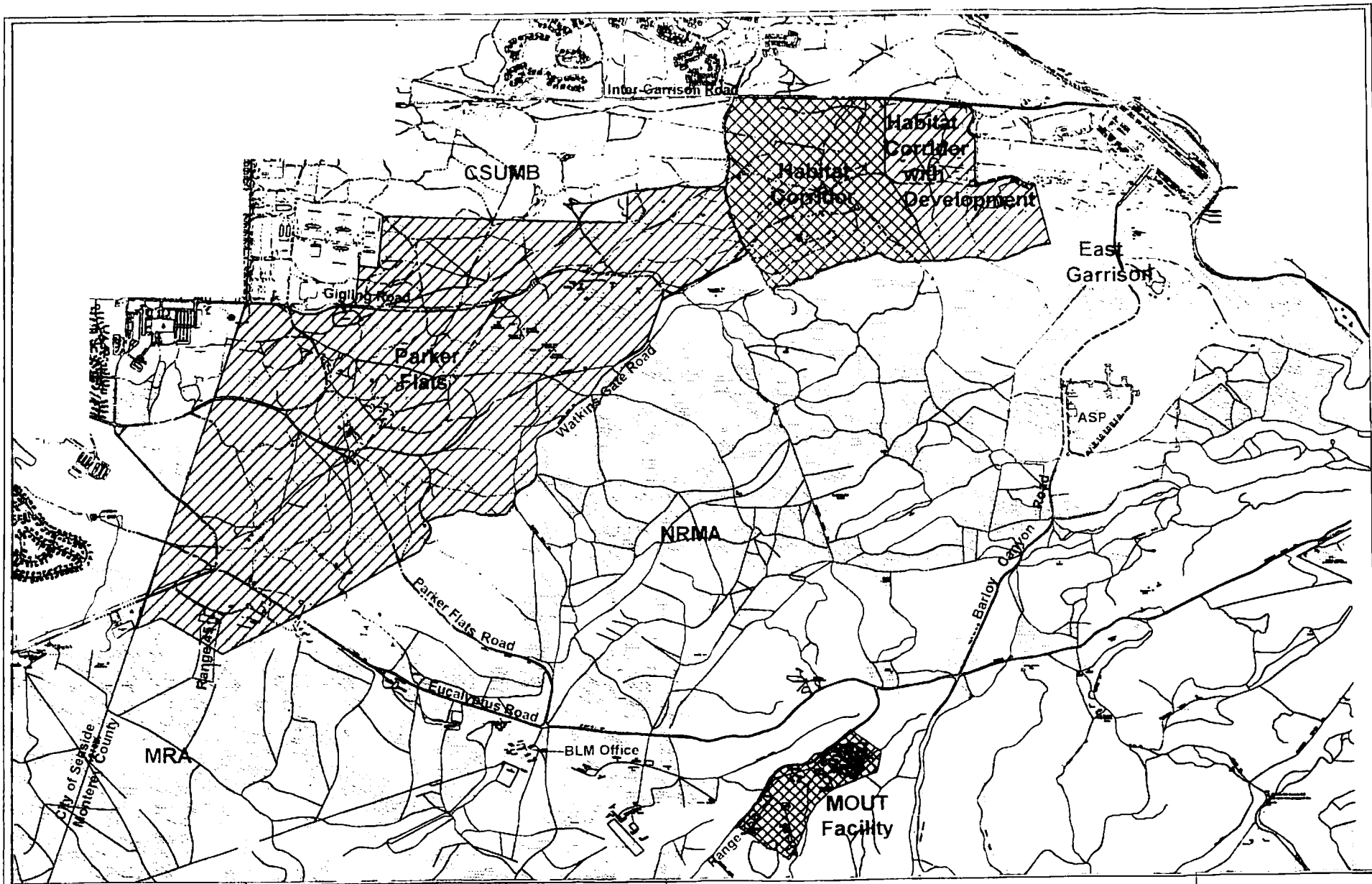
Existing Conditions (acres*)		HMP Assumptions (acres)		Proposed Modifications (acres)	
Development		Development		Development	
Cantonment Area	104	Allowable Development	200	HMP Allowable	241
Treatment Plant/Facilities	10	Treatment Plant/Facilities	10	Additional Proposed	210
ASP Facility	39	Future Road Corridor	31		
Total Development	153	Total Development	241	Total Development	451
Remaining Habitat		Remaining Habitat		Remaining Habitat	
Maritime Chaparral	227	Maritime Chaparral	n/d	Maritime Chaparral	212
Oak Woodlands	264	Oak Woodlands	n/d	Oak Woodlands	51
Grasslands	86	Grasslands	n/d	Grasslands	16
Total Habitat	577	Total Habitat	489	Total Habitat	279
Total Area	730	Total Area	730	Total Area	730

*Acreages for existing conditions are calculated using habitat survey polygons developed by Jones & Stokes Associates for the Army.

The HMP designates the East Garrison polygon as development with reserve areas or restrictions and allows for up to 200 acres of total development. Areas occupied by existing water tanks and a former sewage treatment plant (approximately 10 acres) and a proposed future road corridor through the area (comprising about 31 acres) may also be developed in addition to the 200 acres according to the HMP (Table 1 and Figure 3). The rest of the parcel is to be retained as natural habitat and managed as a habitat reserve. Recognizing the conflicting requests for the land, the HMP designates either the County or MPC as the parties responsible for ensuring that all HMP conservation and management guidelines are implemented on lands transferred to them. Siting for development at East Garrison is to be coordinated with the U.S. Fish and Wildlife Service.

The Base Reuse Plan designates East Garrison as a Planned Development Mixed-Use District. This designation is intended to encourage the development of pedestrian-oriented community centers that support a wide variety of commercial, residential, retail, professional services, cultural and entertainment activities. The Base Reuse Plan concept for East Garrison envisions

¹ Acreage calculations are approximate and may include separate road parcels and easements or other minor parcels within the boundaries of the larger East Garrison polygon. East Garrison as discussed herein does not include the East Garrison Reserve parcel as identified in the HMP (HMP polygon E11a).



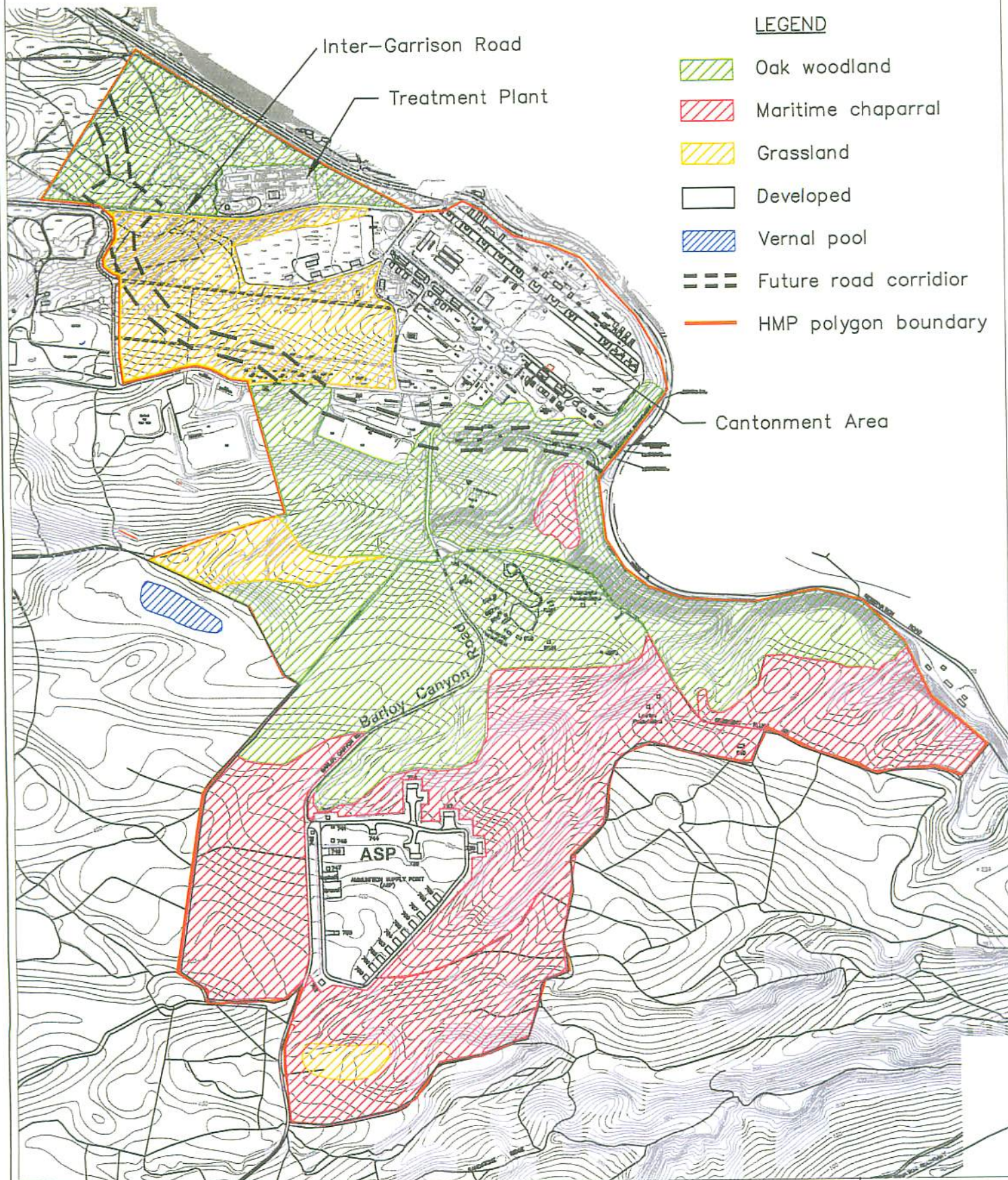
Scale: 1" = Approx. 2000'

Zander Associates
Environmental Consultants
150 Ford Way, Suite 101
Novato, CA 94945
(415) 897-8781

East Garrison, Parker Flats
and MOUT Facility Locations

Figure
2

Page 7



Scale: 1" = Approx. 1100'

Zander Associates
Environmental Consultants
150 Ford Way, Suite 101
Novato, CA 94945
(415) 897-8781

Habitat Types
at East Garrison

Figure
3

Page 8

central core village with adjacent office and commercial uses transitioning (e.g. with equestrian staging areas, trailheads) from developed areas to HMP-designated habitat reserve lands. The Base Reuse Plan also acknowledges the potential land use conflicts with the outstanding conveyance request from MPC for law enforcement officer training facilities at East Garrison.

3.2.2 *Proposed East Garrison Land Uses*

The modifications proposed for East Garrison would generally conform to the Base Reuse Plan by providing a mixed-use development plan with a central core village theme. The concept would accommodate the potential stakeholders identified previously with the exception of the MPC officer training and EVOC facility and the Monterey Horse Park, which would be located at Parker Flats (see below). To provide adequate area to meet the County's work-force housing and other needs (especially with all housing eliminated from Parker Flats - see below), separate, but linked development zones would be located along the Barloy Canyon Road corridor, maximizing effective use of the existing road connection, topography and the already developed ASP. As a result of the review process referenced above, the boundaries for the development footprint of the East Garrison polygon were adjusted and the development zones were connected to provide better definition between development and adjacent habitat areas. The combined footprint of the development zones, as adjusted, would total approximately 451 acres, which is about 210 acres more than the maximum development acreage allowed by the HMP (Table 1). However, the modifications at Parker Flats are intended to offset this acreage loss by establishing new designated habitat areas (see below). The proposed development footprint at East Garrison, as adjusted through discussions with resource agency personnel, is illustrated on Figure 4.

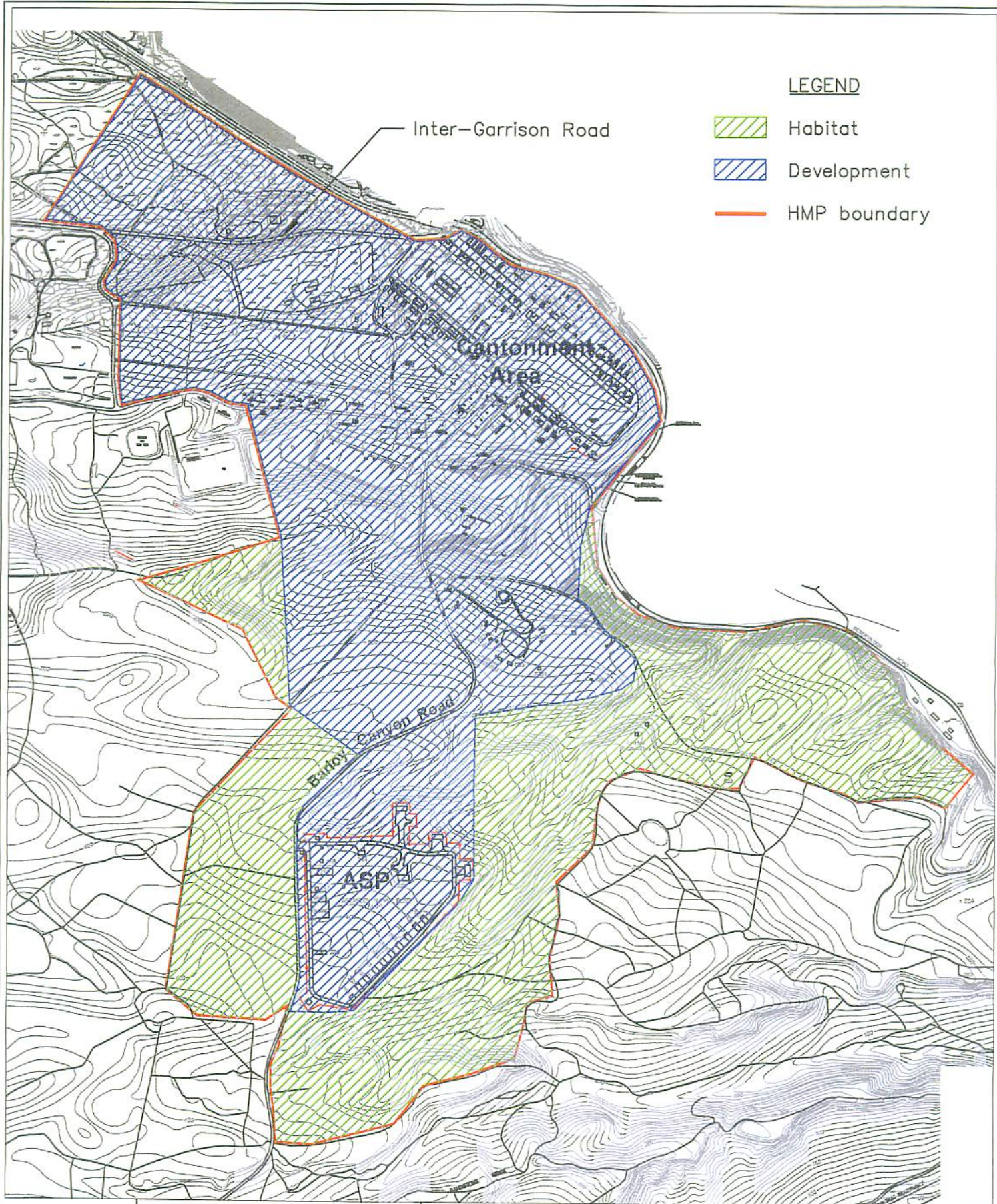
3.3 **Parker Flats**

3.3.1 *Existing Conditions and Plans*

The Parker Flats area is comprised of several HMP polygons (E19a series, E21a, E21b series, L23.2) and Base Reuse Plan polygons (19a and 21 a, b, c) that are all designated for development without restrictions.² The Parker Flats area occupies about 1200 acres in the central part of the former base generally bounded by Watkins Gate Road, the Multi-Range Area (MRA) and the NRMA on the south, Gigling Road and lands of California State University (CSUMB) on the north, the City of Seaside city limits on the west and the primary HMP-designated habitat corridor (HMP polygon L20.2.1) on the east (Figure 2). The area is largely undeveloped but the central portion has been used as a staging and training area for various military activities. Like East Garrison, the area lies at a transition between oak woodland and maritime chaparral habitats.

There are no HMP habitat conservation or management requirements on any of the lands in the Parker Flats polygons established by either the HMP or the Base Reuse Plan. However, because the area borders the NRMA, the designated development lands along the boundary have "borderland" requirements, which include development of fire breaks and vehicle access

² The only area of Parker Flats considered here that is not designated for development without restrictions is the relatively small (about 16-acre) range extension area associated with existing Range 45.



Scale: 1" = Approx. 1100'

Zander Associates
Environmental Consultants
150 Ford Way, Suite 101
Novato, CA 94945
(415) 897-8781

Proposed Development
Footprint at East Garrison

Figure
4

Page 10

limitations. In addition, a relatively small (± 15 -acre) parcel (HMP polygon L23.2) is a PBC transfer as a plant reserve and outdoor teaching facility for the MPC Biology Department.

The Base Reuse Plan designates the Parker Flats area primarily for low density residential, commercial, office and light industrial development. It also anticipates opportunities for equestrian center, hotel resort and golf course development in the area.

3.3.2 Proposed Parker Flats Land Uses

The modifications proposed for Parker Flats would change the Base Reuse Plan designations for the area by removing the residential, light industrial, golf course and other uses to accommodate the MPC officer training and EVOC facilities. Parker Flats would also provide areas for the Central Coast Veterans Cemetery, the Monterey Horse Park and other potential development (Figure 5). The MPC facilities would require minor adjustments to the existing HMP and Base Reuse Plan boundaries associated with Range 45 (HMP polygon E21b.3, Base Reuse Plan polygon 21b) to allow improvement and reuse of the existing range area (Figure 6). The line between HMP-designated development and habitat reserve areas, which currently bisects Range 45, would need to be extended to the south to accommodate the entire improved range area. The polygon boundaries would also be adjusted to balance species gains and losses and avoid recently identified populations of listed plants (see discussion below). This revised use concept for Parker Flats would reduce the development footprint originally envisioned for the area and resolve outstanding land use conflicts on properties at Fort Ord scheduled for transfer to the County. The revised use designations would also allow approximately 380 acres adjacent to the NRMA and primary habitat corridor area to be added to the existing habitat reserve areas. In addition, large areas within the Monterey Horse Park section of Parker Flats, notably a central oak woodland reserve area comprising about 70 acres would remain in native habitat. With development of appropriate resource conservation and management requirements and identification of suitable resource management entities, the new habitat reserve areas would provide greater than a 2:1 replacement ratio for the habitat acreage lost at East Garrison as a result of the proposed expanded development there.³ These new reserve areas would also expand and enhance the habitat corridor connections to reserve areas (UC Natural Reserve, CSUMB, Landfill) to the north. However, because much of the maritime chaparral in the new reserve areas has been mechanically cleared to remove unexploded ordnance in preparation for transfer and development, the existing habitat values and species diversity in those areas may have been compromised (see further discussion below).

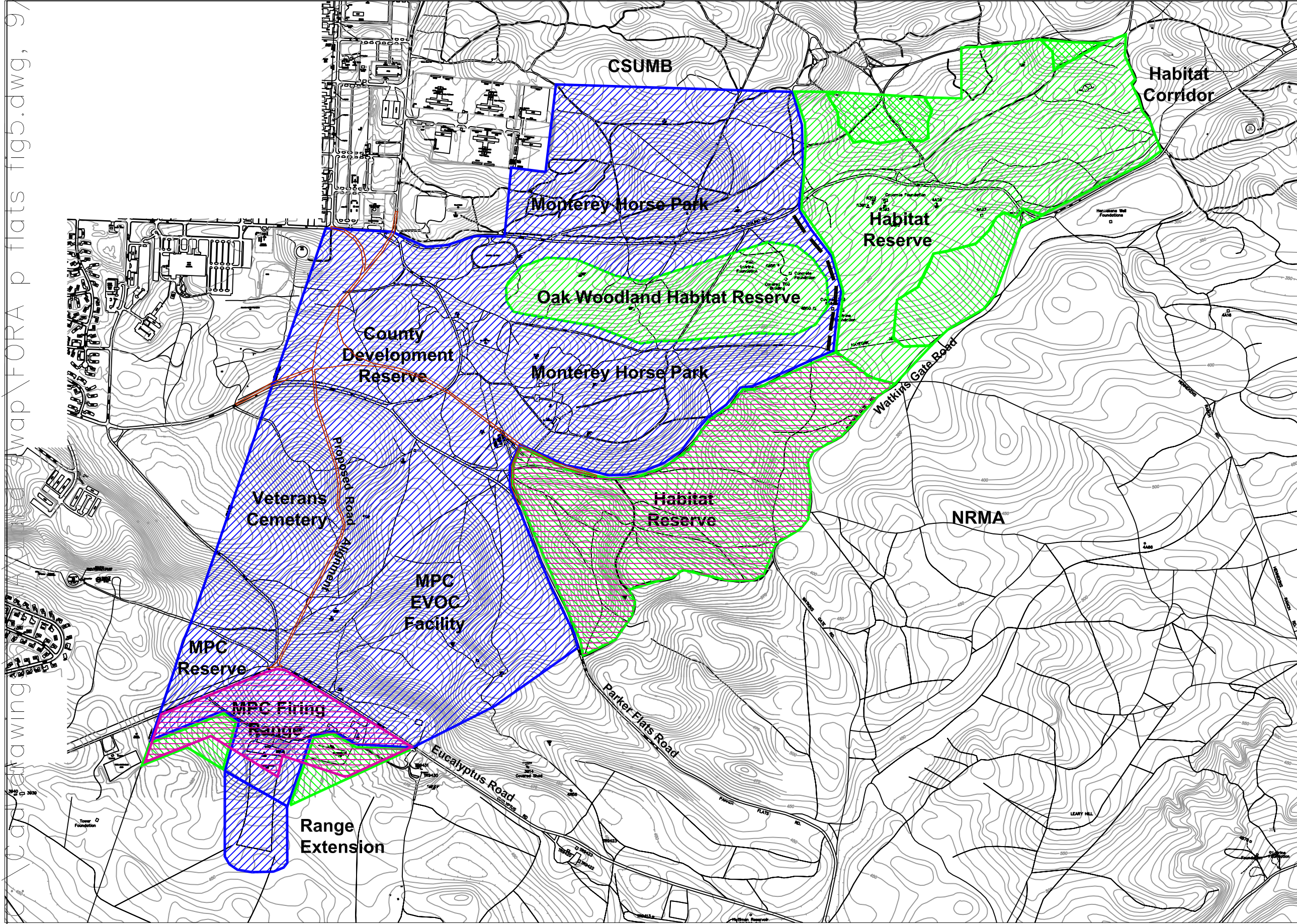
3.4 Military Operations/Urban Terrain Facility (MOUT)

3.4.1 Existing Conditions and Plans

The MOUT facility is located in a relatively isolated valley on an approximately 63-acre parcel (Base Reuse Plan polygon 26, HMP polygon F1.7.2) near the intersection of Eucalyptus Road and Barloy Canyon Road (Figures 1 and 2). The MOUT is a purpose-built mock village used by

³ Following the assumptions discussed above (see Table 1), approximately 210 acres of additional habitat beyond the allowances of the HMP would be lost at East Garrison because of the proposed modifications. Thus, $210 \times 2 = 420 < 450$.

C:\drawing\TA\parks\swap\FORA p flats fig5.dwg, 9/10/2006



Scale: 1" = Approx. 1200'

LEGEND

- Habitat Reserve areas:
- Oak woodland
- Maritime chaparral
- Grassland
- Development
- Designated development
- Extended development
- Areas mechanically cleared
- Proposed location of Horse Park cross country trail

Zander Associates
Environmental Consultants
150 Ford Way, Suite 101
Novato, CA 94945
(415) 897-8781

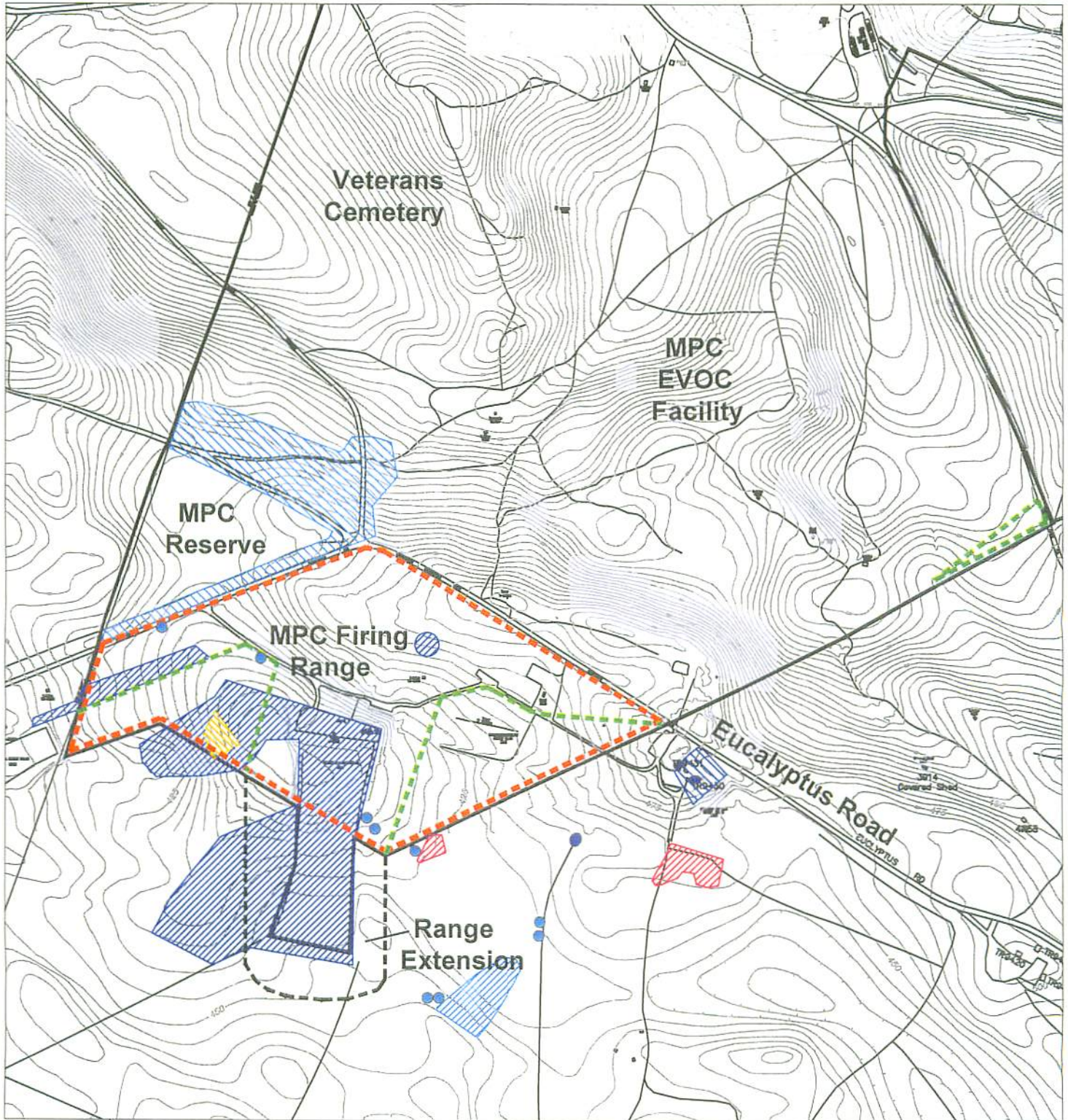
Parker Flats
Development Concept

Figure
5

LEGEND

-  Bird's beak (1997-99 and 2000 HLA vegetation surveys)
-  Monterey spineflower (1997-99 HLA vegetation surveys)
-  Monterey spineflower-HD (2000 HLA vegetation survey)
-  Monterey spineflower-MD (2000 HLA vegetation survey)

-  Monterey spineflower-HD + sand gilia (2000 HLA vegetation survey)
-  Sand gilia (2000 HLA vegetation survey)
-  Sand gilia (2001 EMC vegetation survey)
-  Development area redesignated as habitat
-  Polygon E21b.3



Scale: 1" =
Approx 750'

Zander Associates
Environmental Consultants
150 Ford Way, Suite 101
Novato, CA 94945
(415) 897-8781

MPC EVOC Facility and Firing Range
with Listed Species Locations
(1997-2001 Surveys)

Figure
6

the military for urban warfare training. The facility continues to be used by the Federal Bureau of Investigation (FBI) and various other law enforcement agencies under a lease arrangement with the Army. The undeveloped slopes surrounding the MOUT facility support oak woodland and maritime chaparral habitats.

The HMP designates the MOUT polygon as development with no restrictions and allows for its continued use as a training facility through lease arrangements with BLM. The Base Reuse Plan also acknowledges its continued use.

3.4.2 *Proposed MOUT Land Uses*

With the proposed modifications, the MOUT would continue to be used for law enforcement training under the direction of MPC. No significant changes to the facility would occur but an adjustment to the HMP polygon boundary would be necessary to accommodate the full extent of existing Range 35A and generally secure the perimeter of the facility. The boundary would also be adjusted to add about 13½ acres of the polygon to the NRMA as habitat reserve since that area is not needed for the facility (Figure 7).

4.0 ASSESSMENT

The following analysis was completed to evaluate the effects of the proposed land use modifications at East Garrison, Parker Flats and the MOUT facility relative to the requirements of the HMP and its goals and objectives for preservation of biological resources. Three levels of analysis were completed for each area: consideration of changes that might be needed to HMP land use designations and requirements, assessment of habitat losses and gains, and assessment of HMP Species losses and gains. The analysis benefited from review by key resource agency personnel and has been modified in response to comments received during that review process. In particular, boundary considerations at East Garrison and the habitat value assumptions at Parker Flats have been revised to address issues raised through that review.

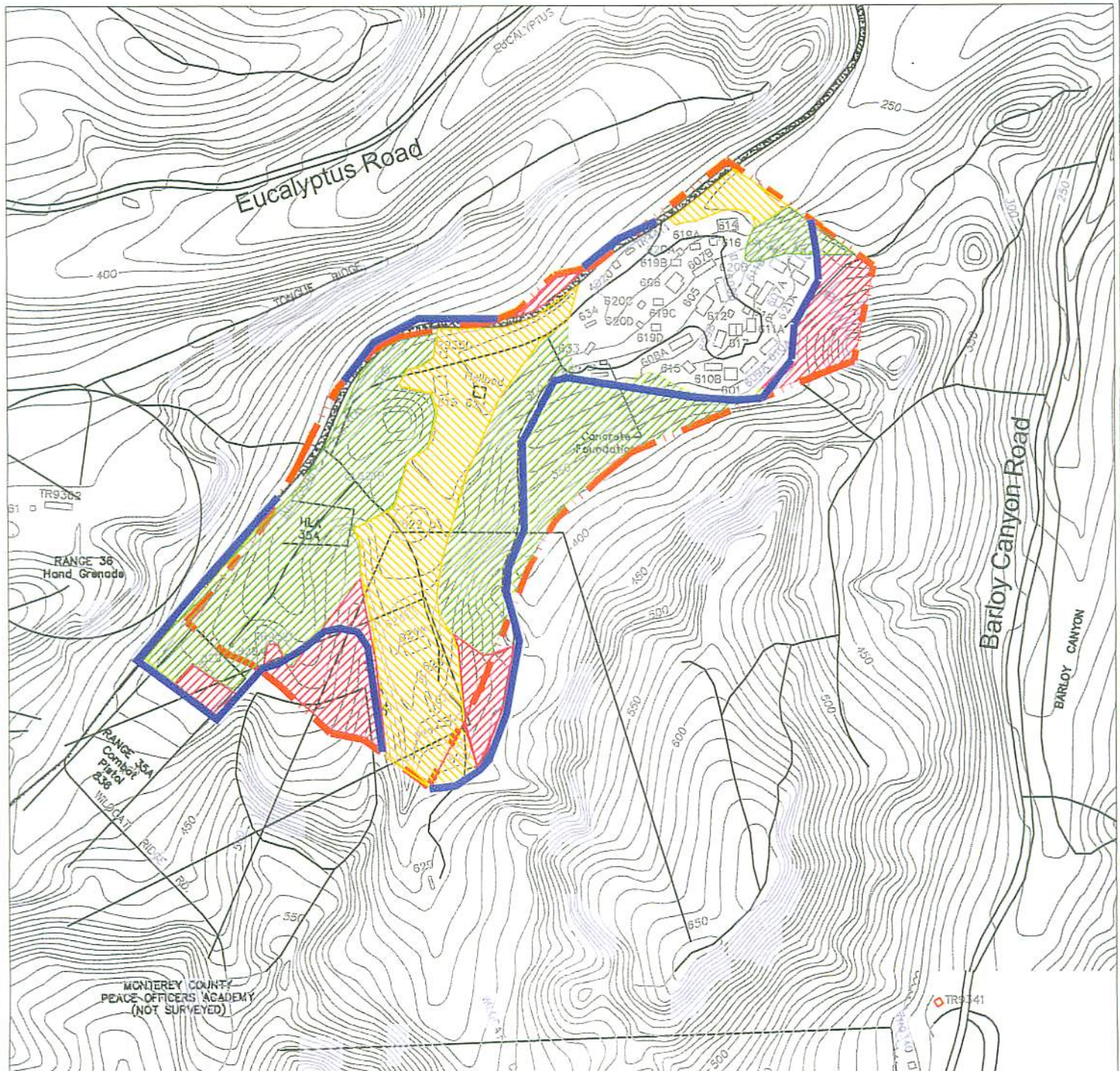
HMP land use designations and resource conservation and habitat management requirements for the East Garrison, Parker Flats and MOUT polygons were reviewed to evaluate consistency with the HMP. New information (e.g. more recent survey data for California tiger salamander not included in the HMP) and recommendations from key reviewing agencies, especially the Fish and Wildlife Service were also considered. Section 4.1 addresses the consistency of the proposed modifications with the HMP's land use categories and requirements.

To quantify losses and gains of the various habitat types and HMP Species, habitat and species mapping completed for the Army's *Flora and Fauna Baseline Study of Fort Ord, California* (1992) was used. More current mapping was available in limited areas (e.g. the Range 45 area) and that information was also considered as appropriate. Polygons (GIS-based), developed by Jones and Stokes Associates (JSA polygons) to map biological resources for the baseline studies, were overlaid (electronically) on the proposed land use maps for East Garrison, Parker Flats and the MOUT to determine the extent of the effects of the proposed modifications on each resource type and its associated species. Results of this gain/loss analysis are presented in Sections 4.2 and 4.3. Polygon maps and polygon-specific tabulations (effects on high, medium and low densities of each HMP Species) are presented in Appendix B.

LEGEND

-  Oak woodland
-  Maritime chaparral
-  Grassland

-  Developed
-  HMP polygon boundary
-  Proposed boundary adjustments



Scale: 1" =
Approx. 600'

Zander Associates
Environmental Consultants
150 Ford Way, Suite 101
Novato, CA 94945
(415) 897-8781

Proposed Adjustments
at MOUT Facility

Figure
7

4.1 HMP Land Use Categories and Requirements

4.1.1 East Garrison

The existing HMP land use designation for the East Garrison polygon is development with reserve areas or restrictions. The maximum development area allowed by the HMP is about 241 acres with the remainder of the polygon to be managed as habitat reserve (see Table 1). The proposed modifications would not change the HMP designation but would add about 210 acres to the allowable development area. This additional development acreage represents a modification to the HMP's resource conservation requirements for East Garrison and would need approval from the Fish and Wildlife Service. No development boundary is specified by the HMP, but coordination with the Service in siting development is required. The Service has already directed some boundary adjustments to the proposed development footprint at East Garrison through the review process described above. Increased setbacks from vernal pool habitat to the west of the East Garrison polygon, better defined (more manageable) boundaries between habitat and development, and clear connections between development zones have all been incorporated into the proposal through coordination with the Service and other resource agencies. The resulting development boundary (Figure 4) is intended to represent a "maximum allowable" footprint for the purposes of this assessment; the Service recognized that some further boundary adjustments could be made in the future if all parties agreed that the adjustments were superior (e.g. allowed for more effective border conditions within the development footprint such as firebreaks, fire management access and better habitat setbacks). Further boundary adjustments would be coordinated with the Service as site-specific planning for East Garrison proceeds. The ultimate alignment of the future road corridor providing access into the East Garrison area from the north would also be coordinated with the Service to avoid isolating habitat reserve lands. This coordination is consistent with the HMP and could be handled through the Fort Ord Coordinated Resource Management and Planning (CRMP) program as site-specific planning for East Garrison proceeds.

A new HMP resource conservation requirement would need to be added to protect California tiger salamanders (CTS) known to occur in the vernal pool located west of the East Garrison polygon (see Figure 3). The requirement would specify construction of a low wall or other suitable barrier to CTS migration along the development/reserve boundary to the east of the vernal pool when development occurs in that area. No changes would be necessary to the HMP's existing management requirements or parties identified as responsible for managing the remaining habitat areas at East Garrison. However, habitat management requirements (in addition to the fire management requirements noted above) will need to be considered in any boundary adjustments or other site-specific borderland planning.

Finally, use of the minor roads from East Garrison that pass through habitat reserves would also need to be considered through the CRMP program. Inter-Garrison Road and Reservation Road (via the future road corridor connection) are expected to be the primary travel routes servicing East Garrison, consistent with the assumptions used for the HMP. However, increased development of the area could increase use of minor roads such as Barloy Canyon Road to the south and Watkins Gate Road to the west, potentially affecting HMP Species. Barloy Canyon

Road provides access to Laguna Seca raceway during events but is otherwise gated to through traffic at Eucalyptus. These conditions are not expected to change as a result of the proposed modifications at East Garrison.⁴ Watkins Gate Road and Eucalyptus Road (via Barloy Canyon Road) connect East Garrison with Parker Flats. With the proposed modifications, Parker Flats would become less of a destination or source of traffic, almost certainly reducing travel on these connector roads below the levels that would have accompanied HMP buildout. While all parties recognize the potential effects on HMP Species of increased use of minor roads through habitat reserve areas, further road closures are not proposed here. However, FORA, the County, the Service and others have agreed to review the disposition and use of minor roads through the CRMP program, and to incorporate appropriate habitat protection measures into the Habitat Conservation Plan prepared through CRMP.

4.1.2 Parker Flats

The existing HMP land use designation for most of the Parker Flats area is development with no restrictions.⁵ The proposed modifications would require boundary adjustments to designate approximately 380 acres adjacent to BLM's NRMA and the central habitat corridor polygon (HMP polygon L20.2.1) as habitat reserve. Approximately 70 acres of oak woodlands within the proposed Monterey Horse Park area would also need to be designated as habitat reserve, or possibly, development with reserve areas or restrictions along with the rest of the Horse Park area (see below). Finally, the boundary between development and habitat areas around Range 45 (HMP polygon E21.b.3) would need to be adjusted to accommodate MPC's plans for reuse of that range, balance habitat losses and gains, and avoid known locations of certain listed species.

The existing borderland development requirements along the NRMA would need to move (and possibly be modified) in concert with the adjusted boundary lines. In addition, internal habitat boundary management agreements among habitat managers could be necessary, depending, in part, on the responsible management entities identified for the newly adjusted habitat areas. For example, through the review process noted above, BLM expressed a willingness to consider extending its management responsibility (and possibly ownership) to a well-defined boundary north of the existing NRMA boundary, but not necessarily to all newly adjusted habitat areas. In such a case, the County or another designated habitat manager would be responsible for enforcing borderland restrictions in developed areas adjacent to habitat reserve areas and coordinating internal habitat boundary issues with BLM. BLM also expressed concern about public access in proximity to live fire at Range 45 and suggested that MPC (or the County) may need to assume management responsibility (and enforce access restrictions) within a defined perimeter habitat reserve area surrounding the range. The 70 acre oak woodland preserve within the Horse Park area also poses particular boundary management issues because of its relatively large edge to area ratio and its setting within an active use area. Details of boundary requirements and suitable management entities for each component of the new habitat areas will need to be defined and coordinated with the Service and others through the CRMP program.

⁴ BLM manages the gate closure on Barloy Canyon Road and has considered moving the gate to the southern end of the East Garrison polygon when development occurs there.

⁵ The only area associated with the proposed modifications at Parker Flats not designated for development by the HMP is the small (approximately 16-acre) area associated with Range 45 that would be incorporated into the MPC plans through a minor boundary adjustment as noted in the discussion.

Resource conservation and management requirements, similar to those specified for the NRMA, would need to be developed for the newly adjusted habitat reserve areas. The areas would be managed to maintain and restore native habitat, especially maritime chaparral habitat. Because much of the maritime chaparral habitat (approximately 162 acres) in the Parker Flats area has been mechanically cleared in preparation for transfer, controlled burning, which is already a management requirement in the NRMA, would be critical for the restoration and maintenance of habitat values in these areas (see discussion below). Other management requirements associated with the NRMA (e.g. invasive weed control, erosion control, access control, monitoring) would also apply in these areas, with the exception of the 2% development allowance for the NRMA. While existing roads and trails through the habitat areas could remain, be realigned and used for recreational activities (e.g. equestrian trails/courses), no areas with natural vegetation would be converted to development-oriented uses in the new habitat areas. Any proposed trail or road realignments would be coordinated with the Service through the CRMP program. The oak woodland reserve in the Horse Park area (or possibly the adjacent oak woodlands and grasslands to the east) would include an allowance for a section of the proposed cross-country course. The course section would require two lanes, each approximately 75 feet wide. However, no buildings, grandstands, corrals, parking areas or other developments would be allowed in the habitat reserves. Requirements to minimize removal of native vegetation and maintain an aggressive weed control program over the entire Horse Park use area would be included as a development condition (through designation of the area as development with reserve or restrictions). A Natural Resources Management Plan would need to be prepared for all the newly adjusted habitat areas in coordination with BLM's planning efforts for the NRMA. Additional costs and funding for habitat management, beyond funds previously allocated, would need to be included in the planning.

4.1.3 *MOUT*

The existing HMP land use designation for the MOUT facility is development with no restrictions. The proposed modifications would require a boundary adjustment to designate approximately 13½ acres adjacent to the NRMA as habitat reserve. The boundary adjustment would also need to incorporate the existing part of Range 35A and other areas that are currently outside of designated development (totaling just under four acres) into the MOUT polygon to secure the perimeter of the facility and accommodate MPC's plans (Figure 7). BLM would need to agree to the boundary adjustments and to the management responsibilities associated with an addition to the NRMA.

4.2 **Habitat Acreage**

4.2.1 *East Garrison*

The East Garrison development footprint as proposed (Figure 4) would maximize use of existing developed areas but would also result in the loss of about 298 acres of habitat. About 213 acres of oak woodland, 15 acres of maritime chaparral and 70 acres of non-native grasslands would be lost in addition to the 153 acres of existing developed areas located in the Cantonment Area and the ASP (Table 2). Assuming that the HMP also anticipated maximum use of the Cantonment Area and ASP, approximately 88 acres of habitat loss would accompany buildout of East

Garrison as allowed by the HMP. Thus, the proposed modifications result in about 210 more acres of habitat loss than allowable HMP buildout. However, the impact of HMP buildout on specific habitat types was not quantified because no specific development plan (beyond the allowable 241 acres) was identified in the HMP. While some of that loss would be attributable to the designated future road corridor, which passes through grasslands and oak woodlands (Figure 3), the remaining habitat loss was not assigned in the HMP.

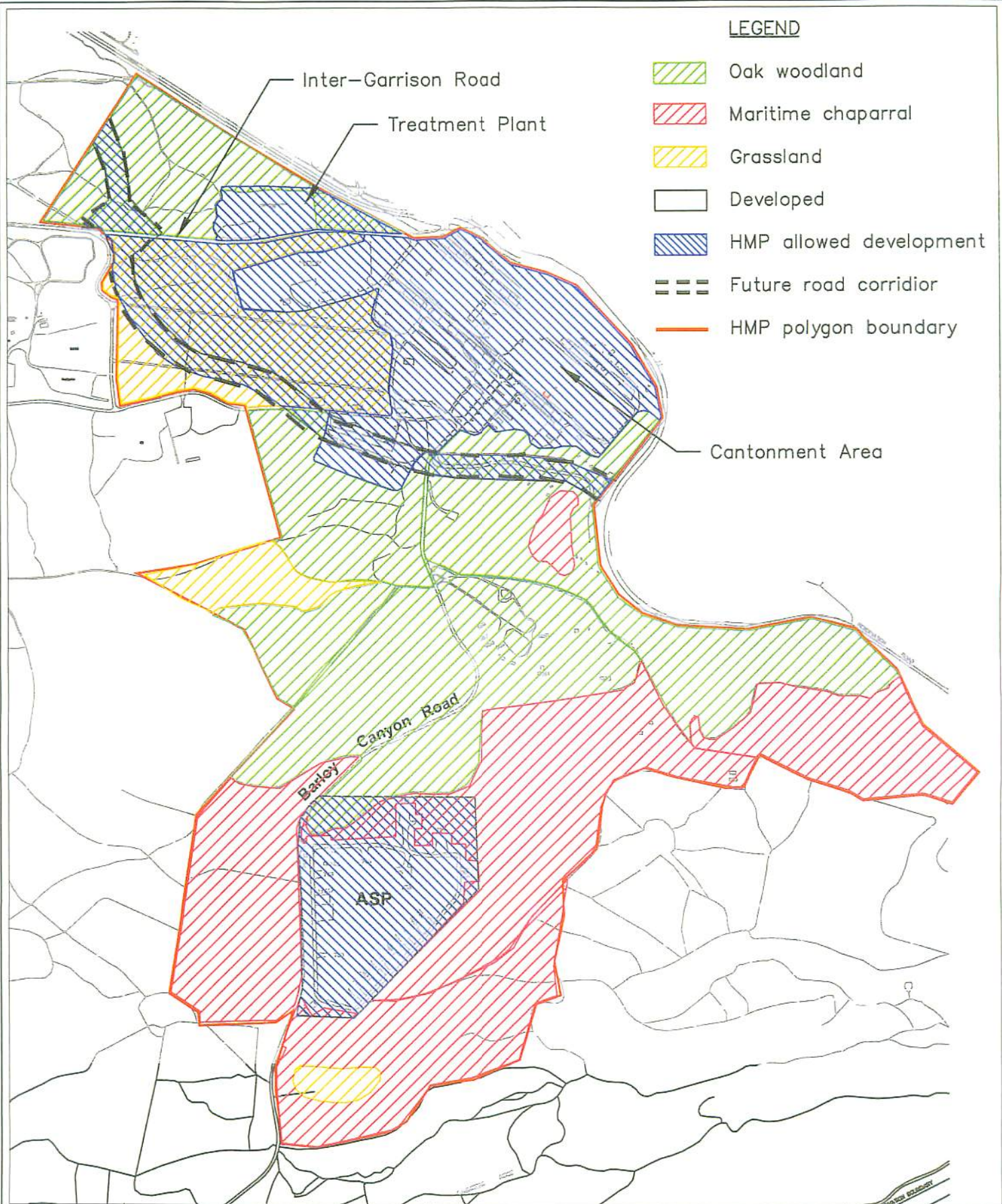
TABLE 2: EAST GARRISON HABITAT LOSS SUMMARY

	Existing Development (acres)	Habitat (acres)				Total (acres)
		Maritime Chaparral	Oak Woodland	Grassland	Total	
Proposal	153	15	213	70	298	451
HMP Buildout	153	9	23	56	88	241
Difference	0	6	190	14	210	210

For the purposes of this assessment, we assume that allowable HMP buildout at East Garrison would be concentrated near the developed Cantonment Area and the ASP and that habitat losses would occur in adjacent areas. Expansion of the development footprint in these areas would take advantage of existing disturbance and minimize further encroachment into habitat areas. We further assume that the alignment and size of the future road corridor would remain as mapped in the HMP. Following these assumptions, relying on the principle of well-defined, manageable boundaries, and allocating the 88 developable habitat acres accordingly, we produced an HMP buildout alternative against which to compare the proposed modifications. Figure 8 illustrates the HMP buildout alternative and Table 2 provides a summary of its effects on HMP habitat types. Based on these assumptions, net losses of about 190 acres of oak woodland, 6 acres of maritime chaparral and 14 acres of grasslands beyond the HMP allowances would result from the proposed modifications at East Garrison. These losses would need to be replaced in kind for consistency with the HMP.

4.2.2 Parker Flats

Since all of Parker Flats (except for the small area associated with Range 45) is designated for development, the proposed reduction in the development footprint provides an opportunity for boundary adjustment and redesignation that could compensate for habitat acreage losses at East Garrison and result in a net gain in habitat reserve area adjacent to the NRMA. This new reserve area would also increase opportunities for habitat corridor connections through the CSUMB property to the landfill polygon (HMP polygon E8a.1) as well as expanding the existing corridor connection (HMP polygon L20.2.1) to the northern reserve areas along Reservation Road. The Parker Flats development footprint as proposed (Figure 4) would result in the preservation of about 249 acres of oak woodland, 196 acres of maritime chaparral and 18 acres of grassland habitats that were not anticipated for preservation in the HMP (Table 3). Subtracting the loss of about 16 acres of area mapped as maritime chaparral associated with the improvement and reuse of Range 45, the net gain in maritime chaparral habitat acreage at Parker Flats, beyond that



Scale: 1" =
Approx 1100'

Zander Associates
Environmental Consultants
150 Ford Way, Suite 101
Novato, CA 94945
(415) 897-8781

HMP Buildout Alternative

Figure
8

Page 20

anticipated by the HMP, would be about 180 acres. Thus, total habitat available as credit at Parker Flats to offset the 210 acres of losses at East Garrison is about 447 acres (Table 3).

TABLE 3: OVERALL HABITAT LOSSES/GAINS

	Maritime Chaparral	Oak Woodland	Grassland	Total
East Garrison				
Loss	(5.6)	(189.9)	(14.5)	(210)
Parker Flats				
Gain	195.8	249.5	17.9	463.2
Loss	(16.1)	0	0	(16.1)
Net	179.7	249.5	17.9	447.1
MOUT				
Gain	5.2	8.2	0	13.4
Loss	(1.7)	(1.5)	(0.6)	(3.8)
Net	3.5	6.7	(0.6)	9.6
Overall Net	177.6	66.3	2.8	246.7

However, most of the maritime chaparral habitat in the newly adjusted reserve area (about 162 acres) has been mechanically cleared for ordnance and explosives removal prior to transfer (Figure 5). Consequently, while actual acreage of maritime habitat would increase, it may not currently support the habitat quality (as determined by diversity and densities of species) necessary to compensate for losses at East Garrison. Therefore, controlled burning and monitoring in the mechanically cleared chaparral habitat areas indicated on Figure 5 would need to be specified as priority HMP management requirements in an effort to recover full habitat value in those areas and realize full compensation credit for the proposed modifications (see further discussions below).

4.2.3 MOUT

The proposed boundary adjustments at the MOUT facility would result in an additional gain of approximately eight acres of oak woodland and five acres of maritime chaparral habitats along its southern boundary adjacent to the NRMA. The extension of the boundary to accommodate exiting Range 35A would result in loss of an approximately two-acre area mapped as both oak woodland and maritime chaparral (even though the area has been cleared and graded for range use). Other minor boundary adjustments along the perimeter of the MOUT would result in losses of maritime chaparral (about one acre) and grasslands (about half an acre), resulting in a net gain in overall habitat reserve acreage of about nine and one half acres at the MOUT.

4.3 HMP Species

4.3.1 East Garrison

One federally listed threatened plant, Monterey spineflower (*Chorizanthe pungens* var. *pungens*), has been mapped within the East Garrison polygon boundary defined by the HMP. No other federally or state listed species have been recorded in the polygon area. However, several other HMP species are known to occur in the East Garrison polygon according to the HMP (p. 4-50). They include Toro manzanita (*Arctostaphylos montereyensis*), sandmat manzanita (*A. pumila*),

Monterey ceanothus (*Ceanothus rigidus*), Eastwood's ericameria (*Ericameria fasciculata*) and Hooker's manzanita (*A. hookeri* ssp. *hookeri*). Potential habitat for the Monterey ornate shrew (*Sorex ornatus solarius*), based on the presence of oak woodlands, is also noted in the HMP. More recent surveys have also identified the presence of California tiger salamanders in the vernal pond to the west of the East Garrison polygon.

The effects of the proposed East Garrison land use footprint on acreage mapped for HMP Species are summarized on Table 4 with further detail provided in Appendix B. The extent of the impact was quantified based on comparison with the HMP buildout alternative discussed above (Figure 8). For the purposes of this assessment, we assume that all losses to acreage supporting HMP Species over and above the losses associated with the HMP buildout alternative will need to be offset by replacement (through reserve designation and appropriate management) of equal or greater acreage for these species.

TABLE 4: SUMMARY OF HABITAT AND SPECIES LOSSES/GAINS

HABITAT (acres)		HMP SPECIES ¹ (acres)							
		Armo	Chpu	Arpu	Erfa	Arho	Ceri	Gitea	Coril
East Garrison									
OW	(189.9) ²	(88.5)	(29.4)						
MC	(5.6)	(5.6)			(0.9)		(0.9)		
G	(14.5)		(3.2)	(3.2)					
NET	(210)	(94.1)	(32.6)	(3.2)	(0.9)		(0.9)		
Parker Flats									
OW	249.5		116.9						
MC	195.8 (16.1)	174.5	169.7 (16.1)	168.1 (16.1)	123.6 (16.1)	174.5	169.7 (16.1)	1.6	16.1 (16.1)
G	17.9		17.9						
NET	447.1	174.5	288.4	152	107.5	174.5	153.6	1.6	0
MOUT									
OW	(1.5) 8.2	(1.5) 8.2				(1.5) 7.0			
MC	(1.7) 5.2	(0.6) 5.2	(0.6) 2.6		(0.6)	(1.7) 2.6	(1.7) 5.2	(0.6)	
G	(0.6)								
NET	9.6	11.3	2.0		(0.6)	6.4	3.5	(0.6)	
TOTAL NET	OW = 66.3 MC = 177.6 G = 2.8	91.7	257.8	148.8	106	180.9	156.2	1.0	0

1. Definition of species acronyms: Armo (*Arctostaphylos montereyensis*), Chpu (*Chorizanthe pungens* var. *pungens*), Arpu (*Arctostaphylos pumila*), Erfa (*Ericameria fasciculata*), Arho (*Arctostaphylos hookeri* ssp. *hookeri*), Ceri (*Ceanothus rigidus*), Gitea (*Gilia tenuiflora* ssp. *arenaria*), Coril (*Cordylanthus rigidus* var. *littoralis*)

2. Parentheses indicate negative numbers or losses.

4.3.2 Parker Flats

Three federally and/or state listed plant species, Monterey spineflower, sand gilia (*Gilia tenuiflora* ssp. *arenaria*) and seaside bird's beak (*Cordylanthus rigidus* ssp. *littoralis*) have been recorded from the Parker Flats area. Monterey spineflower (mostly low densities) is relatively widespread throughout the area, while sand gilia and seaside bird's beak are limited to specific locations toward the southerly end of the area. In recent years, the Army and others have conducted focused surveys in selected areas of Parker Flats to update the record for these listed species. The results of these surveys are illustrated on Figure 6. Numerous other HMP Species are also known from Parker Flats. With the exception of losses associated with the boundary adjustment for Range 45 (see Table 2), all losses of HMP Species in Parker Flats were anticipated by the HMP.

The proposed improvements and reuse of Range 45 and associated boundary adjustments merit special consideration here. The Army's baseline studies identified a variety of HMP Species in a large, approximately 300-acre polygon (JSA polygon #735) that includes existing Range 45 and almost all of HMP polygon E21b.3 (Figure 9). While polygon E21b.3, containing a part of Range 45, is designated for development without restrictions, the remainder of the range is designated as habitat reserve. Consequently, Table 4 indicates that some losses of HMP Species at Parker Flats will result from the proposed range reuse. However, polygon boundaries have been adjusted to balance these losses by gains for all species (and species densities) recorded in the baseline studies. In addition, the subsequent focused plant surveys referenced above identified specific locations of Monterey spineflower, seaside bird's beak and sand gilia in the vicinity of Range 45. Spineflower, an aggressive colonizer of suitable disturbed areas, was mapped within and around the existing range footprint; small colonies of gilia and bird's beak were found in surrounding areas, including inside unrestricted development areas (Figure 6). MPC's proposal to improve and reuse the existing range in its same general footprint would preclude long-term sustainability of most HMP Species within the active range area.⁶ However, the polygon boundaries have also been adjusted to avoid these recently mapped locations of bird's beak and gilia so that these areas will be included in the adjacent NRMA.

As originally mapped, HMP Species distribution and densities in the additional acreage proposed as new habitat reserve could not only offset the acreage losses in East Garrison, but could result in a net gain for most HMP Species overall (Table 4). However, because the Army has already completed mechanical vegetation clearance to facilitate unexploded ordnance removal in much of the maritime chaparral area (about 162 acres) within the adjusted habitat reserve, habitat quality may be compromised. Especially for certain fire-dependent species such as Toro manzanita, sandmat manzanita and Monterey ceanothus, there may be differences between species distributions and densities as originally mapped for the baseline studies and current conditions. Further evaluation of HMP Species gains and losses assuming reduced and no (zero) values for certain HMP Species in mechanically cleared areas at Parker Flats were conducted at the direction of the Fish and Wildlife Service in an effort to quantify these differences (Appendix B). Net losses of several species, particularly Toro manzanita, would result with these reduced values. Consequently, controlled burning and monitoring in these chaparral habitat areas will be

⁶ Monterey spineflower and other species could persist even with use of the area as a firing range.

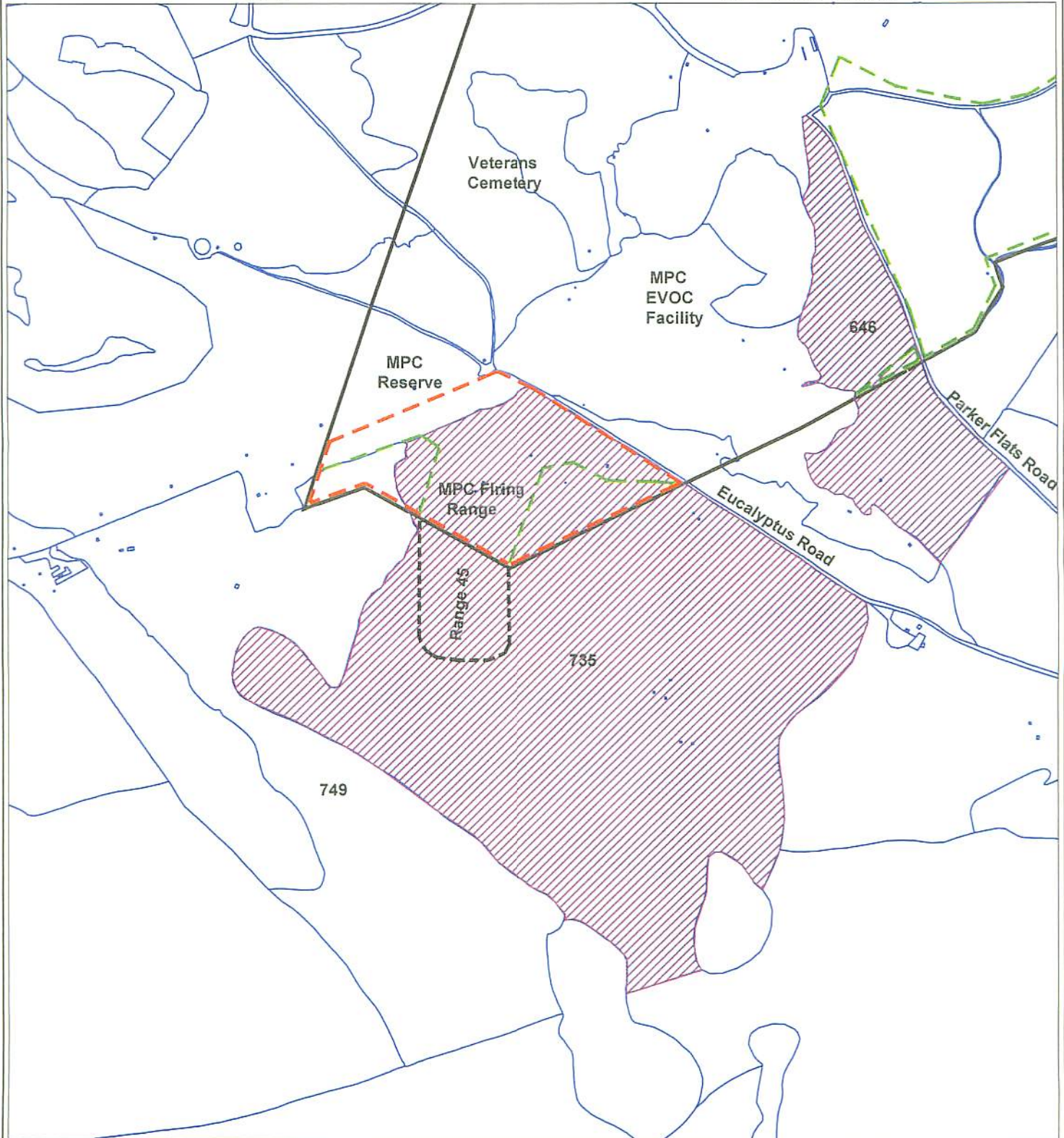
Species of Concern

Polygon 735:
ARPU
CERI
CHPUP
CORIL
ERFA

Polygon 646:
ARHOH
ARMO
CERI
CHPUP
ERFA
GITEA

LEGEND

- 735 JSA polygons and numbers
- Habitat Reserve areas
- Polygon E21b.3
- Range extension area
- Planning area boundary



Scale: 1" =
Approx. 1100'

Zander Associates
Environmental Consultants
150 Ford Way, Suite 101
Novato, CA 94945
(415) 897-8781

MPC Boundary Adjustments
in Relation to JSA Polygons
at Parker Flats

Figure
9

Page 24

required in a relatively short term (3-5 years) to assure continued habitat sustainability for these species and to realize full compensation credit for the proposed modifications.

FORA and the County recognize the need for prescribed burning in the chaparral areas at Parker Flats and would apply for a burn permit from the Monterey Bay Area Unified Air Pollution Control District within six months of a preferred burn date established by a professional fire specialist working through the CRMP program. Prior to burning (and no later than September 1, 2003), FORA and the County would quantitatively characterize the condition of the HMP Species in the mechanically cleared areas at Parker Flats to establish a pre-burn monitoring baseline for addressing success criteria and prescribed burn goals. Post-burn monitoring would be conducted following procedures and a schedule established in coordination with the designated fire specialist through the CRMP program. Success criteria, established in coordination with the CRMP program, would be used to determine whether restoration goals are met through the prescribed burn.

If FORA and the County are unable to perform the prescribed burn or if restoration goals are not met following a burn, certain contingency measures, coordinated through the CRMP program, could be undertaken such as habitat restoration of eroded, unused trails, roads or other degraded sites within habitat reserve lands. Alternatively, FORA and the County could decide to comply with the existing habitat conservation and management requirements of the executed HMP if development has not yet proceeded beyond the allowances of those requirements, effectively abandoning the proposed exchange of habitat areas for development areas (see Appendix C).

4.3.3 MOUT

The area in and around the MOUT polygon supports numerous HMP Species. The proposed boundary adjustments at the MOUT facility would result in both small losses and gains of habitat mapped as supporting these species (Table 2). The net result of the proposed modifications (which are primarily being done to rectify the inaccuracies of past, large-scale mapping error) would be a small gain for most HMP Species with the exception of two species (Eastwood's ericameria and sand gilia). These species are mapped as occurring in the range extension area following the same principles discussed above (i.e. relatively large polygons and large scale mapping effort for general planning purposes). Following the methodology used to calculate net losses and gains for other species (Table 4 and Appendix B), losses to both ericameria and gilia are offset by designating additional reserve areas at Parker Flats.⁷

5.0 CONCLUSIONS AND RECOMMENDATIONS

The proposed boundary adjustments and other modifications discussed herein could enable appropriate uses in appropriate areas at Fort Ord without compromising the overall goals and objectives of the HMP and the Base Reuse Plan. No material changes to the HMP or to the general HMP land use designations should be necessary. Rather, existing designations coupled

⁷ Low density sand gilia was recorded in both JSA polygon #646 at Parker Flats and JSA polygon #940 at the MOUT. Approximately 1.6 developable acres of polygon #646 will be dedicated as habitat to replace about 0.6 acres of loss in polygon #940 at the MOUT, an almost 3:1 replacement ratio (see Figures 8 & 9 and Appendix B).

with boundary adjustments in selected areas could accommodate the proposed modifications. However, depending on the preferred management entities for the newly adjusted habitat reserve areas (e.g. BLM, the County), revised ownership or polygon designations may be warranted. In addition, some redesignation (equivalent to "down-zoning") in certain polygons (e.g. change from development to development with restrictions in the Monterey Horse Park area) would provide greater assurances for long-term habitat protection.

Approximately 210 acres of habitat and species losses could occur at East Garrison that were not contemplated by the HMP, but these could be offset by equivalent or better gains in kind at Parker Flats, assuming a controlled burn program is initiated in a timely manner (see above). On a habitat level, protected acreage for both oak woodland and maritime chaparral would increase within newly adjusted habitat reserve areas at Parker Flats comprising about 447 acres, 380 acres of which is directly adjacent to the NRMA. With implementation of habitat management and other measures discussed herein, especially with the use of prescribed fire as a management tool, there could be no net loss in HMP Species and potentially considerable gain in some species such as Monterey spineflower, Hooker's manzanita, sandmat manzanita and Monterey ceanothus. An expanded and enhanced corridor connection between the NRMA and reserve areas to the north would result and borderland areas along the NRMA would support compatible uses.

The HMP allows for changes within designated development parcels without the need for revisions to the HMP or formal consultation with the U.S. Fish and Wildlife Service. Other modifications can be (and have been) made with support and concurrence from the Army and the Service (HMP, p. 1-14 & Appendix C). For the proposed modifications presented herein to proceed, the Army and BLM will need to support them and the Service will need to determine that they are consistent with the goals and objectives of the HMP. The California Department of Fish and Game and other agencies and organizations with direct involvement or interest in habitat management at the former base, will also be key parties in the approval of this proposal.

Through the review process described in this report, various conditions that would allow the U.S. Fish and Wildlife Service and other agencies referenced above to support and approve these proposed modifications were discussed and ultimately agreed to in concept by FORA and County staff. Many of these conditions have already been discussed in this analysis. A complete listing of these conditions is attached as Appendix C. Based on this assessment and on initial coordination with resource agencies and other interested parties, FORA and the County would need to agree to these conditions for the proposed modifications to be approved. Doing so would provide the necessary assurances to the Service and others that no net loss of HMP Species or habitat would result from the proposed modifications.

APPENDIX A
HMP SPECIES

HMP SPECIES

Common Name	Scientific Name	Status ¹ Federal/State/Other
Plants		
Sand gilia	<i>Gilia tenuiflora</i> ssp. <i>arenaria</i>	E/T/CNPS 1B
Monterey spineflower	<i>Chorizanthe pungens</i> var. <i>pungens</i>	T/--/CNPS 1B
Robust spineflower	<i>Chorizanthe robusta</i> var. <i>robusta</i>	E/--/CNPS 4
Seaside bird's-beak	<i>Cordylanthus rigidus</i> var. <i>littoralis</i>	SC/E/CNPS 1B
Toro manzanita	<i>Arctostaphylos montereyensis</i>	SC/--/CNPS 1B
Sandmat manzanita	<i>Arctostaphylos pumila</i>	SC/--/CNPS 1B
Monterey ceanothus	<i>Ceanothus cuneatus</i> var. <i>rigidus</i>	SC/--/CNPS 4
Eastwood's ericameria	<i>Ericameria fasciculata</i>	SC/--/CNPS 1B
Coast wallflower	<i>Erysimum ammodophilum</i>	SC/--/CNPS 1B
Yadon's piperia	<i>Piperia yadoni</i>	E/--/CNPS 1B
Hooker's manzanita	<i>Arctostaphylos hookeri</i>	--/--/CNPS 1B
Animals		
Smith's blue butterfly	<i>Euphilotes enoptes smithi</i>	E/--
California linderiella	<i>Linderiella occidentalis</i>	no status
California red-legged frog	<i>Rana aurora draytoni</i>	T/CSC
California tiger salamander	<i>Ambystoma tigrinum californiense</i>	C/CSC
California black legless lizard	<i>Anniella pulchra nigra</i>	--/CSC
Western snowy plover	<i>Charadrius alexandrinus nivosus</i>	T/CSC
Monterey ornate shrew	<i>Sorex ornatus salarius</i>	SC/--

1. Status Explanations

Federal

- E = listed as endangered under the federal Endangered Species Act (ESA)
 T = listed as threatened under the federal ESA
 C = candidate for federal listing as threatened or endangered under the federal ESA
 SC = Species of Concern are all former Category 1 and 2 candidate species that without additional conservation action are likely to become candidates for listing by the U.S. Fish and Wildlife Service under the federal ESA.

State

- E = listed as endangered under the California Endangered Species Act (CESA)
 T = listed as threatened under the CESA
 CSC = California Department of Fish and Game species of special concern

Other

- CNPS 1B = California Native Plant Society list 1B: plants listed as rare, threatened or endangered in California and elsewhere
 CNPS 4 = California Native Plant Society list 4: plants of limited distribution in California - a watch list

APPENDIX B
DATA CALCULATIONS AND MAPS

DATA CALCULATIONS

Included in this appendix are the spreadsheets used to provide the acreage figures summarized in Table 4 of the text. Maps are also included that indicate the location and numbers of the polygons used for the *Army's Flora and Fauna Baseline Study of Fort Ord, California* (1992),—referred to as the Jones & Stokes (JSA) Polygons—in relationship to the proposed development boundaries for East Garrison, Parker Flats and the MOUT. JSA polygons (GIS-based) from the baseline studies, identifying each mapped resource type, were overlaid (electronically) on the proposed land use maps for East Garrison, Parker Flats and the MOUT to determine the effects of the proposed modifications on each type.

The spreadsheets in this appendix provide a polygon-specific tabulation of the effects on oak woodland, maritime chaparral and grassland habitats as well as the effects on high, medium and low densities for each HMP Species. Three separate cases are illustrated. Case 1 is the baseline condition, assuming that diversity and density of HMP Species remain as originally mapped by Jones & Stokes Associates for the Army. Case 2 shows reduced values for some HMP Species in mechanically cleared areas at Parker Flats based on brief site reconnaissance of those areas during March and April 2002. Case 3 is a worst case scenario that eliminates values for all HMP Species in mechanically cleared areas at Parker Flats.

The numbers of the polygons used for the baseline studies are shown in the left-hand column for each land use area. Acreage numbers for each polygon are assigned by habitat type. Finally, species densities for each polygon, as recorded by JSA for the Army, are indicated in columns under each HMP Species. For species-specific numbers, 1 = low density, 2 = medium density and 3 = high density. The numbers shown in red and in parentheses represent losses while the numbers in black are gains. Numbers that change as a result of the reduced (Case 2) or zero (Case 3) values assigned because of mechanical clearing are shown in blue and the polygon numbers representing the changed areas are highlighted.

The baseline case shows gains in all categories of all species and habitats except for a minor (1.5-acre) loss of medium density habitat for one species (*Ericameria fasciculata*). This apparent loss is well within the margin of error associated with the field sampling techniques and map scale limitations of the baseline studies and the analysis completed herein. Moreover, the apparent loss would be more than offset by a gain of 107 acres of low density habitat for the same species. However, net losses of HMP Species increase beyond the margin of error and map limitation factors in Cases 2 & 3, demonstrating the potential effects of mechanical clearing and the absence of prescribed burning. Accordingly, we have based our no net loss determination on an assumption that prescribed burning in mechanically cleared chaparral areas would occur in a timely manner.

East Garrison/Parker Flats/MOUT
Gain/Loss of Habitats and
Sensitive Plant Species
East Garrison Alternative 1
May, 2002

CASE 1
Baseline

East Garrison	JSA#	OW	MC	G	Density	ARMO	CHPUP	ARPU	ERFA	ARHOH	CERI	GITEA	CORIL	LEGEND
Develop	243	(29.4)					(1)							1= Low Density 2= Medium Density 3= High Density
	266	(1.1)												
	296			(11.3)										
	353	(33.8)												
	386	(37.1)												
	422		(4.7)			(1)								
	433			(3.2)			(1)	(1)						
	455	(78.9)				(1)								
	468	(9.6)				(1)								
	518		(0.9)			(2)			(2)		(2)			
TOTAL ACRES		(189.9)	(5.6)	(14.5)	1=	(93.2)	(32.6)	(3.2)						
TOTAL		(210.0)			2=	(0.9)			(0.9)		(0.9)			
Parker Flats	JSA#	OW	MC	G		ARMO	CHPUP	ARPU	ERFA	ARHOH	CERI	GITEA	CORIL	
Range 45	735		(16.1)				(2)		(3) (1)		(3)		(1)	
	735		12.5				2		3 1		3		1	
	735		3.6				2		3 1		3		1	
	749		5.2				1		3 1		3			
Reserve	637		46.1			2	1	2		2	2			
	646		1.6			1	1		1	1	2	1		
	575		100.7			1	1	1	1	1	1			
	500		26.1			1				1				
	326			17.9				3						
	379	132.6												
	472	40.8					1							
	417	6.6						3						
Oak oval	472	31.5					1							
	519	38.0					1							
TOTAL ACRES		249.5	179.7	17.9	1=	128.4	263.9	100.7	107.5	128.4	100.7	1.6	(0.0)	
					2=	46.1		46.1		46.1	47.7			
		447.1			3=		24.5	5.2			5.2			
MOUT	JSA#	OW	MC	G		ARMO	CHPUP	ARPU	ERFA	ARHOH	CERI	GITEA	CORIL	
Reserve	850		2.6				3 1				2			
	841	1.2				1								
	879	7.0				2				1				
	932		2.6			2					3 1			
	891		(1.1)								(3)	(2)		
	902			(0.6)										
Range 35	906	(1.5)				(1)				(2)				
	940		(0.6)				(3) (1)		(2)	(1)		(3) (1)		
TOTAL ACRES		6.7	3.5	(0.6)	1=	(0.3)	2.0			6.4	2.6	(0.6)		
TOTAL		9.6			2=	9.6			(0.6)	(1.5)	1.5			
					3=	2.0				1.5	(0.6)			
Summary	Acres	OW	MC	G		ARMO	CHPUP	ARPU	ERFA	ARHOH	CERI	GITEA	CORIL	
	246.7	66.3	177.6	2.8	1=	34.9	233.3	97.5	107.5	134.8	103.3	1.0	0.0	
					2=	54.8	0.0	46.1	(1.5)	44.6	48.3			
	246.7				3=	2.0	24.5	5.2		1.5	4.6			

East Garrison/Parker Flats/MOUT
Gain/Loss of Habitats and
Sensitive Plant Species
East Garrison Alternative 1
Effect of Clearing at Parker Flats
Reduce Densities to 1 in Polygons 575, 637, 735, 749
May, 2002

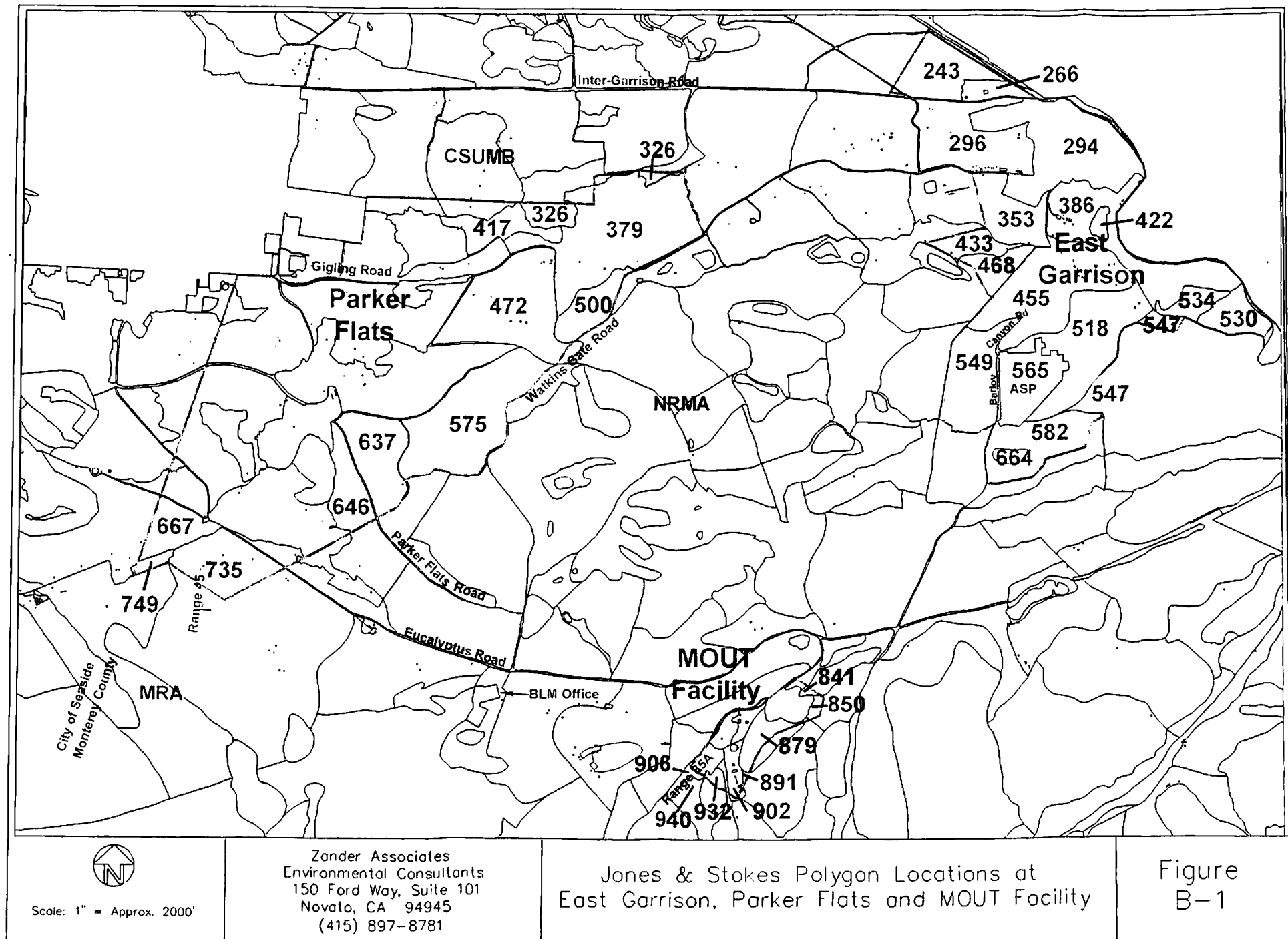
CASE 2
Effect of Clearing

East Garrison	JSA#	OW	MC	G	Density	ARMO	CHPUP	ARPU	ERFA	ARHOH	CERI	GITEA	CORIL	LEGEND
Develop	243	(29.4)					(1)							1= Low Density 2= Medium Density 3= High Density
	266	(1.1)												
	296			(11.3)										
	353	(33.8)												
	386	(37.1)												
	422		(4.7)			(1)								
	433			(3.2)			(1)	(1)						
	455	(78.9)				(1)								
	468	(9.6)				(1)								
	518		(0.9)			(2)			(2)		(2)			
TOTAL ACRES		(189.9)	(5.6)	(14.5)	1=	(93.2)	(32.6)	(3.2)						
TOTAL		(210.0)			2=	(0.9)			(0.9)		(0.9)			
Parker Flats	JSA#	OW	MC	G		ARMO	CHPUP	ARPU	ERFA	ARHOH	CERI	GITEA	CORIL	
Range 45	735		(16.1)				(2)	(3)	(1)		(3)	(1)		
	735		3.6				2	3	1		3	1		
	735		8.9				1	1	1		1	1		
	735		1.5				2	3	1		3	1		
	735		2.1				1	1	1		1	1		
	749		1.0				1	3	1		3			
	749		4.2				1	1	1		1			
Reserve	637		46.1				1	1		1	1			
	646		1.6		1	1	1	1	1	1	2	1		
	575		100.7		1	1	1	1	1	1	1			
	500		26.1		1					1				
	326			17.9				3						
	379	132.6												
	472	40.8					1							
	417	6.6						3						
Oak oval	472	31.5					1							
	519	38.0					1							
TOTAL ACRES		249.5	179.7	17.9	1=	128.4	274.9	162.0	107.5	174.5	162.0	1.6	0.0	
					2=		(11.0)				1.6			
TOTAL		447.1			3=		24.5	(10.0)			(10.0)			
MOUT	JSA#	OW	MC	G		ARMO	CHPUP	ARPU	ERFA	ARHOH	CERI	GITEA	CORIL	
Reserve	850		2.6				3	1			2			
	841	1.2			1									
	879	7.0				2				1				
	932		2.6			2					3	1		
	891		(1.1)								(3)	(2)		
	902			(0.6)										
Range 35	906	(1.5)			(1)					(2)				
	940		(0.6)				(3)	(1)	(2)	(1)	(3)	(1)		
TOTAL ACRES		6.7	3.5	(0.6)	1=	(0.3)	2.0			6.4	2.6	(0.6)		
TOTAL		9.6			2=	9.6			(0.6)	(1.5)	1.5			
					3=	2.0				1.5	(0.6)			
Summary	Acres	OW	MC	G		ARMO	CHPUP	ARPU	ERFA	ARHOH	CERI	GITEA	CORIL	
TOTAL ACRES	246.7	66.3	177.6	2.8	1=	34.9	244.3	158.8	107.5	180.9	164.6	1.0	0.0	
					2=	8.7	(11.0)		(1.5)	(1.5)	2.2			
	246.7				3=	2.0	24.5	(10.0)	0.0	1.5	(10.6)			

East Garrison/Parker Flats/MOUT
Gain/Loss of Habitats and
Sensitive Plant Species
East Garrison Alternative 1
Effect of Clearing at Parker Flats
Removal of all Species in Polygons 575, 637, 735, 749
May, 2002

CASE 3
Effect of Clearing

East Garrison	JSA#	OW	MC	G	Density	ARMO	CHPUP	ARPU	ERFA	ARHOH	CERI	GITEA	CORIL	LEGEND
Develop	243	(29.4)					(1)							1= Low Density 2= Medium Density 3= High Density
	266	(1.1)												
	296			(11.3)										
	353	(33.8)												
	386	(37.1)												
	422		(4.7)			(1)								
	433			(3.2)			(1)	(1)						
	455	(78.9)				(1)								
	468	(9.6)				(1)								
	518		(0.9)			(2)			(2)		(2)			
TOTAL ACRES		(189.9)	(5.6)	(14.5)	1=	(93.2)	(32.6)	(3.2)						
TOTAL		(210.0)			2=	(0.9)			(0.9)		(0.9)			
PF	JSA#	OW	MC	G		ARMO	CHPUP	ARPU	ERFA	ARHOH	CERI	GITEA	CORIL	
Range 45	735		(16.1)				(2)		(3)(1)			(3)	(1)	
	735		3.6				2		3 1			3	1	
	735		8.9											
	735		1.5				2		3 1			3	1	
	735		2.1											
	749		1.0				1		3 1			3		
	749		4.2											
Reserve	637		46.1											
	646		1.6			1	1		1	1	2	1		
	575		100.7											
	500		26.1			1				1				
	326			17.9				3						
	379	132.6												
	472	40.8					1							
	417	6.6						3						
Oak oval	472	31.5					1							
	519	38.0					1							
TOTAL ACRES		249.5	179.7	17.9	1=	27.7	112.9		(8.4)	27.7		1.6	(11.0)	
					2=		(11.0)				1.6			
TOTAL		447.1			3=		24.5	(10.0)			(10.0)			
MOUT	JSA#	OW	MC	G		ARMO	CHPUP	ARPU	ERFA	ARHOH	CERI	GITEA	CORIL	
Reserve	850		2.6				3 1				2			
	841	1.2				1								
	879	7.0				2				1				
	932		2.6			2					3 1			
	891		(1.1)								(3)	(2)		
	902			(0.6)										
Range 35	906	(1.5)				(1)				(2)				
	940		(0.6)				(3)(1)		(2)	(1)		(3)(1)		
TOTAL ACRES		6.7	3.5	(0.6)	1=	(0.3)	2.0			6.4	2.6	(0.6)		
TOTAL		9.6			2=	9.6			(0.6)	(1.5)	1.5			
					3=		2.0			1.5	(0.6)			
Summary	Acres	OW	MC	G		ARMO	CHPUP	ARPU	ERFA	ARHOH	CERI	GITEA	CORIL	
	246.7	66.3	177.6	2.8	1=	(65.8)	82.3	(3.2)	(8.4)	34.1	2.6	1.0	(11.0)	
					2=	8.7	(11.0)		(1.5)	(1.5)	2.2			
	246.7				3=	2.0	24.5	(10.0)		1.5	(10.6)			



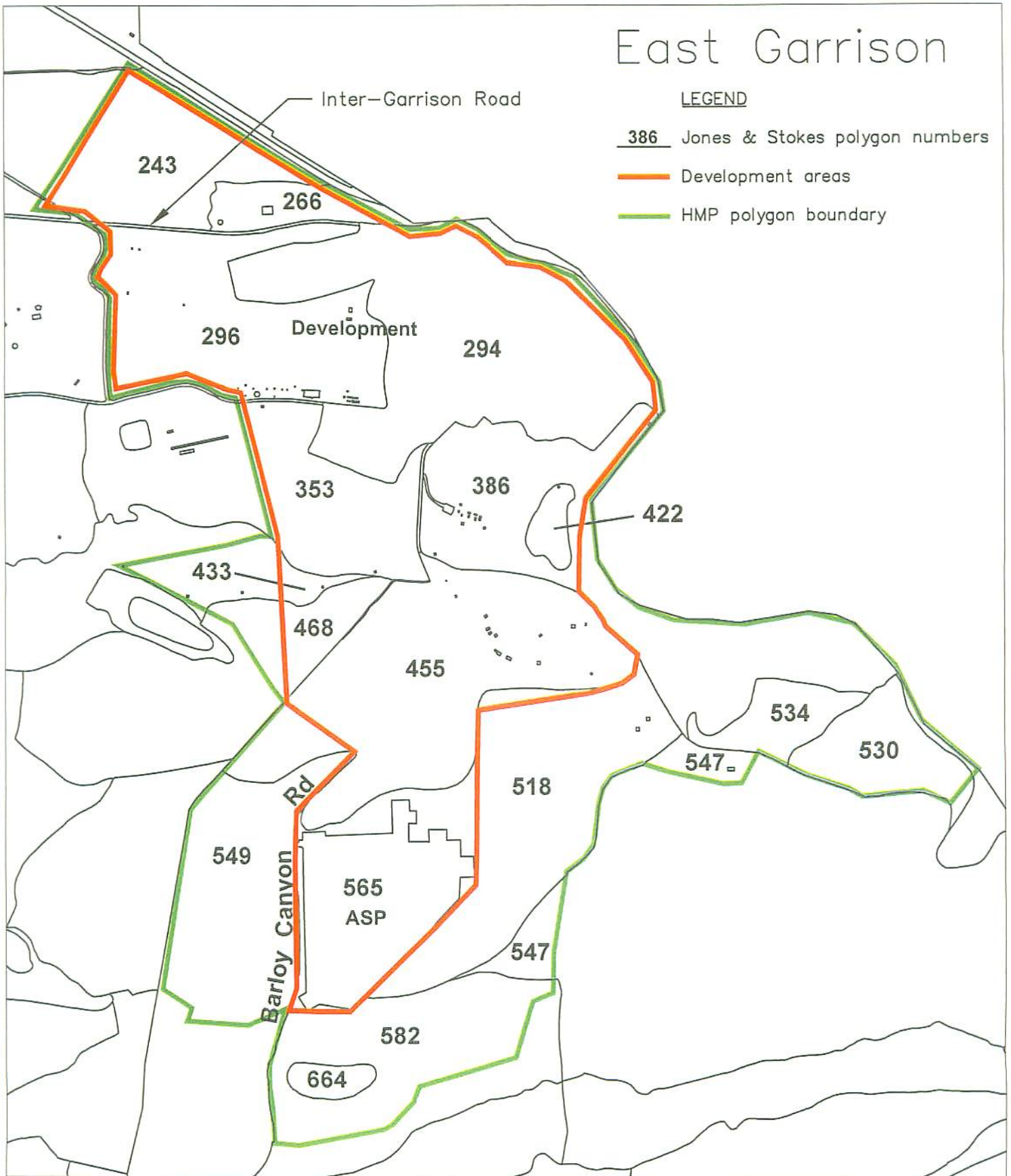
East Garrison

LEGEND

386 Jones & Stokes polygon numbers

Development areas

HMP polygon boundary



Scale: 1" =
Approx. 1100'

Zander Associates
Environmental Consultants
150 Ford Way, Suite 101
Novato, CA 94945
(415) 897-8781

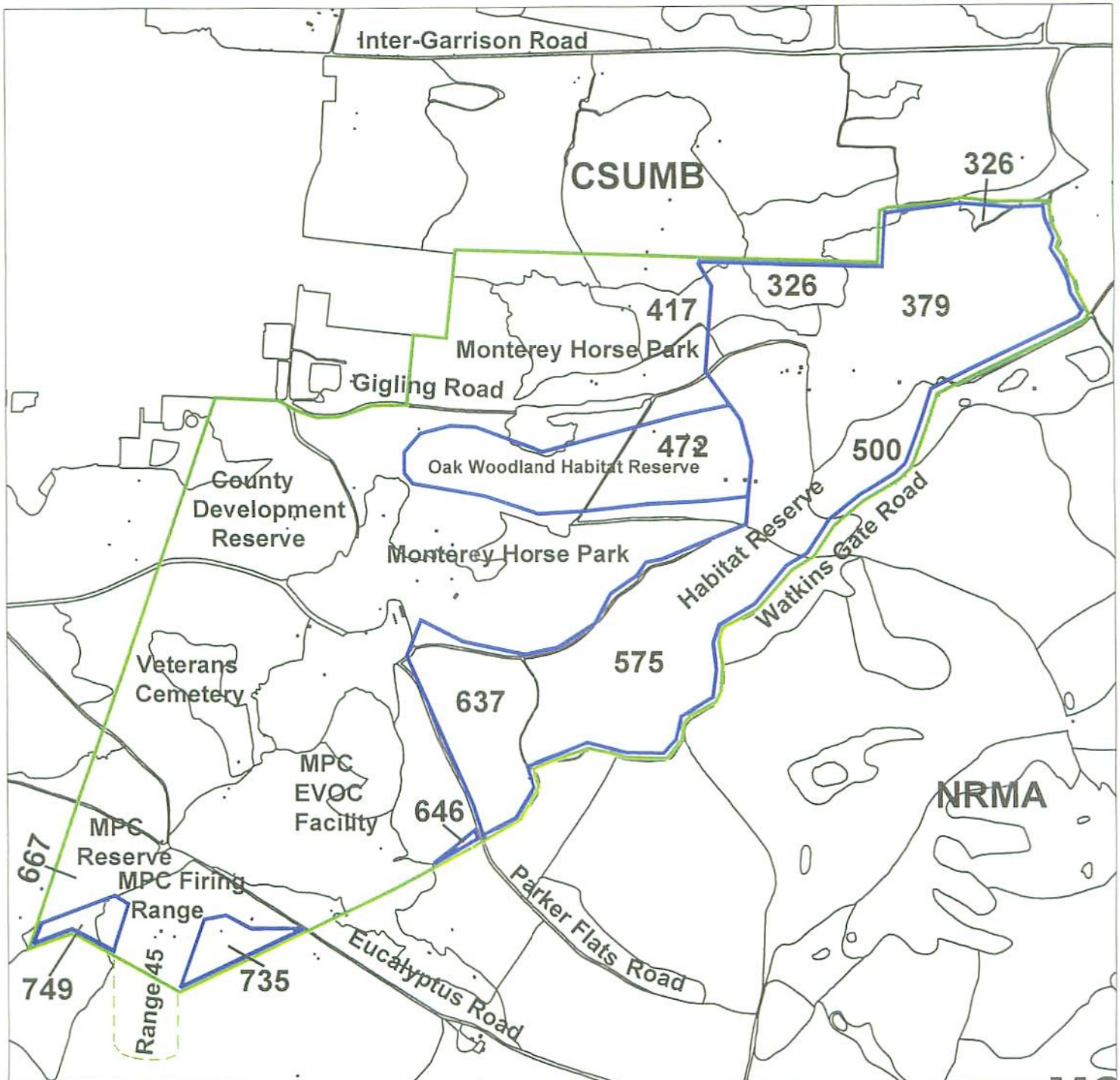
Proposed Development and
Jones & Stokes Polygon Locations
at East Garrison

Figure
B-2

Parker Flats

LEGEND

- 637 Jones & Stokes polygon numbers
- Habitat Reserve areas
- Planning area boundary



Scale: 1" =
Approx. 1600'

Zander Associates
Environmental Consultants
150 Ford Way, Suite 101
Novato, CA 94945
(415) 897-8781

Jones & Stokes Polygon
and Habitat Preserve Locations
at Parker Flats

Figure
B-3

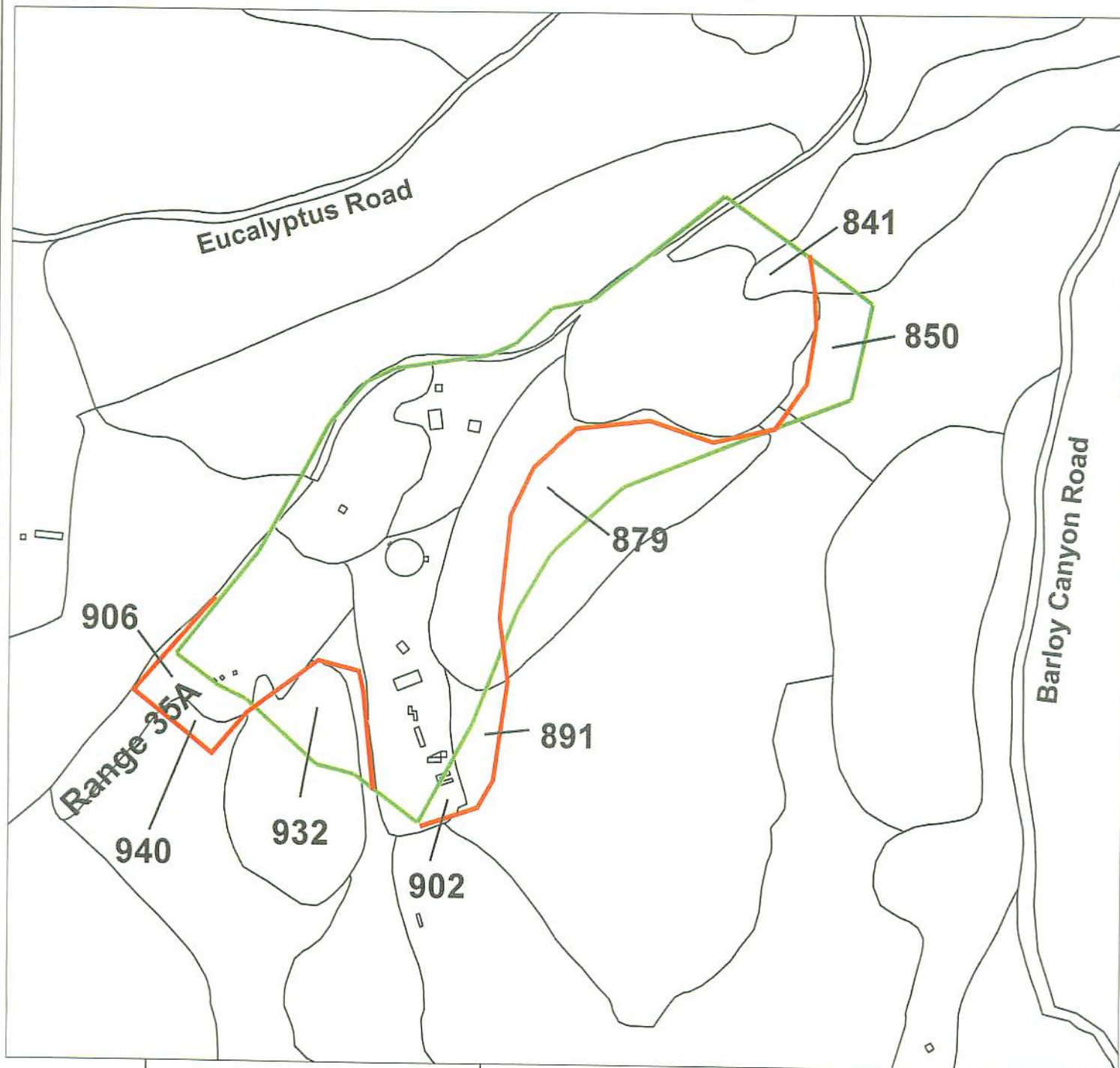
MOUT Facility

LEGEND

841 Jones & Stokes polygon numbers

— HMP polygon boundary

— Proposed boundary adjustment



Scale: 1" =
Approx. 600'

Zander Associates
Environmental Consultants
150 Ford Way, Suite 101
Novato, CA 94945
(415) 897-8781

Proposed Boundary Adjustments and
Jones & Stokes Polygon Locations
at MOUT Facility

Figure
B-4

APPENDIX C
CONDITIONS

CONDITIONS

Based on this assessment and on initial coordination among resource agencies and other interested parties including staff of the U.S. Fish and Wildlife Service, U.S. Army, Bureau of Land Management, California Department of Fish and Game, Monterey Peninsula College, Fort Ord Reuse Authority and County of Monterey, the following conditions will provide the necessary assurances to the Service that the proposed modifications will not compromise the overall goals of the Fort Ord Habitat Management Plan or result in a net loss of HMP Species or habitat. The assessment presented in this report, along with signed agreement to these conditions and concurrence from the Service, shall be the basis for modifications to the April 1997 HMP and the Habitat Conservation Plan and Implementing Agreement currently in preparation through the Coordinated Resource Management Planning program at Fort Ord.

General

1. The County of Monterey shall sign the April 1997 HMP.
2. FORA, the County, BLM and MPC shall agree, through a Memorandum of Understanding or equivalent binding agreement, to the land use modifications at East Garrison, Parker Flats and the MOUT facility as described in this report.
3. FORA and the County shall revise the cost and funding estimates for habitat management, to include the additional costs associated with prescribed burning and monitoring in the new habitat areas at Parker Flats, in accordance with changed habitat management responsibilities resulting from the proposed modifications described in this report. Funds previously allocated for habitat management shall not be reallocated to accommodate new prescribed burning requirements.

East Garrison

1. Final development siting and boundary adjustments at East Garrison shall be coordinated with the Service, BLM and the CDFG based on a maximum development footprint, exclusive of existing roads, of 451 acres, approximating the limits of development illustrated on Figure 4 in this report. Borders between habitat areas and development areas shall be established to allow fire breaks, fire management access and adequate habitat setbacks, all of which shall occur within the developable footprint.
2. FORA and the County shall make all reasonable efforts to realign the HMP-designated *Future Road Corridor* (Figures 1, 3 and 8 of this report) linking Reservation Road with East Garrison to avoid isolating habitat reserve lands. If such realignment is not possible, the resulting isolated habitat reserve land acreage will be designated for development and developable land of comparable value and size, contiguous with other reserve lands shall be redesignated as habitat reserve.
3. FORA and the County recognize the potential impacts to California tiger salamander and other HMP Species that could result from increased use of minor roads leading out of East

Garrison into habitat reserve areas. The disposition and use of these roads shall be addressed through the CRMP program, and appropriate habitat protection measures shall be incorporated into the HCP prepared through CRMP.

4. A low wall or other suitable barrier to migration of California tiger salamanders shall be constructed along the development/reserve boundary to the east of the vernal pool illustrated on Figure 3 of this report when development occurs in that area. Such a barrier is intended to discourage movement of California tiger salamanders into developed areas, thereby reducing the potential for harm to the species.

Parker Flats

1. Borderland requirements between the development and habitat reserve areas and suitable management entities for the new habitat reserve areas at Parker Flats shall be established in coordination with the Service, CDFG and BLM through the CRMP program.
2. BLM and MPC shall agree on an appropriate perimeter area around Range 45 that will provide for public safety and also allow for habitat protection and management. The party responsible for the management of this perimeter area shall also be identified.
3. The area proposed for use as the Monterey Horse Park, as illustrated on Figure 5 in this report, shall be designated as development with reserve area and restrictions with requirements to maintain an aggressive non-native plant species eradication program and preserve a 70-acre oak woodland habitat area approximating the boundaries of the Oak Woodland Habitat Reserve illustrated on Figure 5. An approximately 150-foot wide section of a proposed cross-country course shall be allowed through the eastern end of oak woodland reserve, or possibly through the oak woodlands and grasslands to the east of the Horse Park area, but shall be sited and designed to minimize vegetation removal and maintain wildlife movement corridors between habitat reserves. Any other trails and courses through habitat reserves shall use existing or realigned roads and trails. No buildings, grandstands, corrals, parking areas or other developments shall be allowed in designated habitat reserves. The siting and design of Horse Park trails and courses through habitat reserves shall be approved by the Service, CDFG and BLM through the CRMP program.
4. Habitat management requirements in the new habitat reserve areas shall be the same as those specified for the NRMA, except that there shall be no 2% development allowance in the new reserve areas. All parties recognize the need for the use of prescribed fire to restore habitat values in the mechanically cleared chaparral areas at Parker Flats shown on Figure 5 of this report.
5. The County and/or FORA shall submit an application for a prescribed burn in the mechanically cleared chaparral areas at Parker Flats within six months of the date determined by a designated burn specialist and the CRMP biological working group to be most beneficial for a burn (e.g. the site can carry a fire, smoke impacts would be minimized, species would still have restoration potential).

6. The County and/or FORA shall quantitatively characterize the condition of the HMP Species in the mechanically cleared areas by September 1, 2003 and prior to an actual burn of the area to adequately establish a pre-burn monitoring baseline to assist the CRMP in addressing success criteria and prescribed burn goals.
7. The County and/or FORA shall monitor the results of the prescribed burn in the mechanically cleared areas following procedures and a schedule established in coordination with a designated burn specialist and the CRMP biological working group. Success criteria established in coordination with the CRMP program shall be used to determine if habitat restoration goals are met through the prescribed burn.
8. If FORA and/or the County are unable to perform the prescribed burn or if restoration goals are not met following a burn, FORA and/or the County shall inform the Service, the Army, BLM, CDFG and others through the CRMP program that they shall either: 1.) Complete a series of habitat restoration projects on eroded, unused trails, roads or other degraded sites on other lands transferred or to be transferred as habitat reserve that support appropriate HMP Species; or 2.) Comply with existing resource conservation requirements of the executed HMP for East Garrison if development has not yet proceeded beyond the allowances of those requirements, effectively abandoning the proposed exchange of development acreage between Parker Flats and East Garrison, but retaining the modifications to Range 45 and the MOUT facility, including the establishment of new reserve lands adjacent to both areas as described in this report.

MOUT

1. BLM and MPC shall review the proposed boundary modifications at the MOUT facility described in this report and agree (through the MOU or equivalent binding agreement referenced above) that both habitat management and safe operation of the facility can be achieved with the proposed modifications.
2. BLM, MPC, FORA and the County shall agree on the ultimate disposition and management of the MOUT facility in accordance with the MOU or equivalent binding agreement referenced above.



FORT ORD REUSE AUTHORITY



Capital Improvement Program Fiscal Year 2016/17 through 2021/22

FORA Board Adopted July 8, 2016

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
I INTRODUCTION	1
II OBLIGATORY PROGRAM OF PROJECTS (DESCRIPTION OF CIP)	4
a. TRANSPORTATION/TRANSIT	4
FIGURE 1 – TRANSPORTATION MAP	6
FIGURE 2 – REMAINING TRANSPORTATION PROJECTS	7
b. WATER AUGMENTATION	8
c. STORM DRAINAGE SYSTEM	9
d. HABITAT MANAGEMENT REQUIREMENTS	10
e. FIRE FIGHTING ENHANCEMENT REQUIREMENTS	11
f. BUILDING REMOVAL PROGRAM	11
g. WATER AND WASTEWATER COLLECTION SYSTEMS	12
h. PROPERTY MANAGEMENT AND CARETAKER COSTS	13
III FY 2016/2017 THROUGH POST-FORA CAPITAL IMPROVEMENT PROGRAM	14
TABLE 1 –OBLIGATORY PROJECT OFFSETS AND REMAINING OBLIGATIONS	15
TABLE 2 – TRANSPORTATION NETWORK AND TRANSIT ELEMENTS	16
TABLE 3 –SUMMARY OF CAPITAL IMPROVEMENT PROGRAM	17
TABLE 3 FOOTNOTES	18
TABLE 4 – COMMUNITY FACILITIES DISTRICT REVENUE	19
TABLE 5 – LAND SALES REVENUE	20
TABLE 6 – DEVELOPMENT FORECASTS – RESIDENTIAL	21
TABLE 7 – DEVELOPMENT FORECASTS –NON-RESIDENTIAL	22
TABLE 8 – DEVELOPMENT FORECASTS – BY ACRE	23
TABLE 9 – ESTIMATED PROPERTY TAXES	24
<u>APPENDICES</u>	
A. PROTOCOL FOR REVIEW/REPROGRAMMING OF FORA CIP	A-1
B. BUILDING REMOVAL PROGRAM TO DATE	A-6
C. JURISDICTION-INCURRED CARETAKER COSTS REIMBURSEMENT POLICY	A-11
D. MARINA COAST WATER DISTRICT CIP	A-14

I. INTRODUCTION

The Fort Ord Reuse Authority (FORA) Capital Improvement Program (CIP) was created in 2001 to comply with and monitor mitigation obligations from the 1997 Fort Ord Base Reuse Plan (BRP). These mitigation obligations were described in the BRP Appendix B as the 1996 Public Facilities Implementation Plan (PFIP) – which was the initial capital programming baseline. The CIP is a policy approval mechanism for the ongoing BRP mitigation requirements as well as other capital improvements established by FORA Board policy. The CIP is re-visited annually by the FORA Board to assure that projects are implemented on a timely basis.

This FY 2016/17 – “Post-FORA” CIP document has been updated with reuse forecasts by the FORA land use jurisdictions and adjusted to reflect staff analysis and Board policies. Adjusted annual forecasts are enumerated in Tables 6 and 7 of this document.

Current State law sets FORA’s sunset for June 30, 2020 or when 80% of the BRP has been implemented, whichever occurs first. For this CIP document, “Post-FORA” means the time period after June 30, 2020 needed to complete CIP funding collections and project expenditures by FORA or its successor(s). The revenue and obligation forecasts are currently being addressed in the Board’s FORA Transition Task Force and, under State law, will require significant coordination with the Local Agency Formation Commission.

Periodic CIP Review and Reprogramming

Recovery forecasting is impacted by the market. However, annual jurisdictional forecast updates remain the best method for CIP programming since timing of project implementation is the purview of the individual on-base FORA members. Consequently, FORA annually reviews and adjusts its jurisdictional forecast-based CIP to reflect project implementation and market changes. The protocol for CIP review and reprogramming was adopted by the FORA Board on June 8, 2001. Appendix A defines how FORA and its member agencies review reuse timing to accurately forecast revenue. A March 8, 2010 revision incorporated additional protocols by which projects could be prioritized or placed in time and an amplification and refinement are being implemented in the current year. Once approved by the FORA Board, this CIP sets project priorities. The June 10, 2016 Appendix A revision describes the method by which the “Fort Ord Reuse Authority’s base-wide Community Facilities District (CFD), Notice of Special Tax Lien” is annually indexed.

During last year’s CIP reprogramming, the Finance Committee reviewed the FY 2015/16 CIP budget as a component of the overall FORA mid-year and preliminary budgets. They expressed their concern for a higher degree of accuracy and predictability in FORA’s revenue forecasts. Board members concurred and recommended that staff, working with the Administrative and CIP Committees, hone and improve CIP development forecasts and resulting revenue projections. This approach has continued into the 2016/17 document.

CIP Development Forecasts Methodology

From January to May 2014, FORA Administrative and CIP Committees formalized a methodology for developing jurisdictional development forecasts: 1) Committee members recommended differentiating between entitled and planned projects (Appendix A) and correlate accordingly, 2) Market conditions necessary to moving housing projects forward should be recognized and reflected

in the methodology. On average, a jurisdiction/project developer will market three or four housing types/products and sell at least one of each type per month, 3) As jurisdictions coordinate with developers to review and revise development forecasts each year, FORA staff and committees review submitted jurisdiction forecasts, using the methodology outlined in #2, translated into number of building permits expected to be pulled between July 1 and June 30 of the prospective fiscal year and consider permitting and market constraints in making additional revisions; and 4) FORA Administrative and CIP Committees confirm final development forecasts, and share those findings with the Finance Committee.

In FY 2010/11, FORA contracted with Economic & Planning Systems (EPS) to perform a review of CIP costs and contingencies (CIP Review – Phase I Study), which resulted in a 27% across-the-board CFD/development fee reduction in May 2011. On August 29, 2012, the FORA Board adopted a formula to calibrate FORA CIP costs and revenues on a biennial basis, or if a material change to the program occurs. Results of the EPS Phase II Review resulted in a further 23.6% CFD/development fee reduction. A Phase III review, to update CIP costs and revenues, resulted in an additional 17% CFD/development fee reduction which took effect on July 5, 2014. The two-year review of the fees mandated by the Board approved formula is currently ongoing with results expected to be presented to the FORA Board in September 2016.

1) CIP Costs

The costs assigned to individual CIP elements were first estimated in May 1995 and published in the draft 1996 BRP. The Transportation/Transit Costs were updated in 2005 and have been adjusted to reflect actual changes in construction expenses noted in contracts awarded on the former Fort Ord and to reflect the Engineering News Record (ENR) Construction Cost Index (CCI) inflation factors. This routine procedure has been applied annually since the adoption of the CIP. Transportation/Transit costs are being updated by agreement with TAMC and the consultant report will be presented to the FORA Board in September 2016.

2) CIP Revenues

The primary CIP revenue sources are CFD special taxes (aka development fees) and land sale proceeds. These primary sources are augmented by loans, property taxes and grants. The CFD and development fee are adjusted annually to account for inflation using the ENR CCI, with an annual cap of 5%. Development fees were established under FORA policy to govern fair share contributions to the base-wide infrastructure and capital needs, including CEQA mitigations. CFD and development fee reductions are described in Section I of this Introduction.

The CFD implements a portion of the development fee policy by funding CEQA mitigations described in the BRP Final Environmental Impact Report (FEIR). These include Transportation/Transit projects, Habitat Management obligations, and Water Augmentation. Property tax revenues primarily cover FORA operations, but in some years there are remaining funds to apply toward CIP projects. Land sale proceeds are designated to cover Building Removal program costs per FORA Board policy.

Tables 4 and 5 herein contain a tabulation of the proposed developments with their corresponding fee and land sale revenue forecasts. Capital project obligations are balanced against forecasted revenues on Table 3.

3) Projects Accomplished to Date

FORA has actively implemented capital improvement projects since 1995. As of this writing, FORA has completed approximately:

- a) \$77M in roadway improvements, including underground utility installation and landscaping, predominantly funded by US Department of Commerce – Economic Development Administration (EDA) grants (with FORA paying any required local match), FORA CFD fees, loan proceeds, payments from participating jurisdictions/agencies, property tax payments (formerly tax increment), and a FORA bond issue.
- b) \$1.6M in storm drainage system improvements to design and construct alternative storm water runoff disposal systems that allowed for the removal of storm water outfalls.
- c) In addition to \$82M in munitions and explosives of concern cleanup on 3.3K acres of form Fort Ord, funded by a U.S. Army grant, \$31.3M in building removal at the Dunes on Monterey Bay, East Garrison, Imjin Parkway and Imjin Office Park site. Dunes \$29M [\$7M land sales credit], East Garrison \$2.2M land sales credit, Seaside \$100K = \$31.3M FORA financed building removal to date. Remaining FORA building removal obligation is \$7.5M = \$2.2M Marina stockade and \$5.3M Seaside Surplus II. (See Section II f for additional background.)
- d) \$11M in Habitat Management and other capital improvements instrumental to base reuse, such as improvements to the water and wastewater systems, and Water Augmentation obligations.
- e) \$1.1M in fire-fighting enhancement with the final payment on the lease-purchase of five pieces of fire-fighting equipment which were officially transferred to the appropriate agencies (Cities of Marina, Seaside and Monterey, Ord Military Community and Salinas Rural Fire District) in April 2014.

Section III provides detail regarding how completed projects offset FORA base-wide obligations. As revenue is collected and offsets obligations, the offsets will be enumerated in Tables 1 and 3.

This CIP provides the FORA Board, Administrative Committee, Finance Committee, jurisdictions, and the public with a comprehensive overview of the capital programs and expectations involved in former Fort Ord recovery programs. Additionally, the CIP offers a basis for annually reporting on FORA's compliance with its environmental mitigation obligations and policy decisions by the FORA Board. It can be accessed on the FORA website at: www.fora.org.



General Jim Moore Boulevard is in place, regulators and ESCA are finalizing the Land Use Controls to make this section of the road ready for development.

II. OBLIGATORY PROGRAM OF PROJECTS

As noted in the Introduction, there are four key programs in the Capital Improvement Program (CIP): **Transportation/Transit, Water Augmentation, Habitat Management Requirements, and Building Removal Program.** CFD/development Fee revenues fund the Transportation/Transit, Water Augmentation and the Habitat Management Requirements programs. Of the CFD revenues, 30.2% is set aside for funding the Habitat Conservation Plan (HCP) program first, with the remaining revenue divided between the Transportation/Transit and Water Augmentation programs. Land sale proceeds fund the Building Removal Program to the extent of FORA's building removal obligation first. Beyond that obligation, land sale proceeds may be allocated to CIP projects by the FORA Board per the MOA with the US Army. Summary descriptions of each CIP element follow:

a) Transportation/Transit

During the preparation of the BRP and associated FEIR, the Transportation Agency for Monterey County (TAMC) undertook a regional study (The Fort Ord Regional Transportation Study, July 1997) to assess Fort Ord development impacts on the study area (North Monterey County) transportation network.

When the FORA Board adopted the BRP and the accompanying FEIR, the transportation and transit obligations as defined by the 1997 TAMC Study were also adopted as mitigations to traffic impacts resulting from BRP development. The Study established a total obligation for each improvement and assigned a "share" of the obligation to FORA and the remaining share to the Interested Area (i.e. the Jurisdictions) or another Public Agency (i.e Cal-Trans). The FORA Board subsequently included the Transportation/ Transit elements (obligations) as CFD-funded improvements.

In 2004, FORA and TAMC entered into a cooperative agreement to re-evaluate the Regional Transportation Plan (RTP) and related fee allocations. TAMC and FORA completed that re-evaluation by working with the Association of Monterey Bay Area Governments (AMBAG) to determine key inputs such as population estimates. TAMC's recommendations were enumerated in the "FORA Fee Reallocation Study" dated April 8, 2005; the date corresponds to when the FORA Board approved the study for inclusion in the FORA CIP. The complete study can be found online at www.fora.org, under the Documents menu.

TAMC's work with AMBAG and FORA resulted in a refined list of FORA transportation obligations that were synchronous with the TAMC RTP. Figure 2 shows the transportation obligations which are further defined in Table 1. Table 1 shows the RTP's obligations set by the 2005 study, FORA's share in 2005 dollars, the amount of the obligation met by the close of Fiscal Year 2015/16 in 2016 dollars, and FORA's share of the obligation escalated into 2016 dollars. Figure 2 reflects completed transportation projects, remaining transportation projects with FORA as lead agency, and remaining transportation projects with others as lead agency (described below).

Through its FY 2015/16 operating budget, the FORA Board funded the 2016 FORA Fee Reallocation Study in cooperation with TAMC. In this study, FORA and TAMC are re-evaluating TAMC's RTP and FORA's related fee allocations once again.

This year FORA staff determined the CIP priorities during the 2016/17 budget process using an evidence based approach. The method was a modified Delphi Method in conjunction with a Decision Making Matrix. Staff asked Administrative Committee members to weight priorities through anonymous polling and to reach consensus. Following the weighting process, staff polled of the interested members requesting

scoring of each project by criteria set in Appendix A. The process multiplied project scores by assigned weights, resulting in identification of the Transportation/Transit priorities from highest to lowest. The results were presented to the Administrative Committee members. Table 10 shows the resultant list of priorities as set for 2016/17 CIP. The top two priorities previously set by the Board are Eastside Parkway and South Boundary Road. This evidence based decision making approach ranked the remaining Transportation/Transit projects. Since the 2016/17 FORA CIP was the first application of the evidence based decision making tool, staff and Administrative Committee members learned a number of lessons, which may improve effective use of the tool in the future. A few lessons included recognizing the importance of defining the prioritization criteria, developing the appropriate rating scales (1 to 5), and reviewing how project ranking is applied.

Transportation

Improvements within the CIP are of two types: FORA Lead Agency projects or reimbursement projects. FORA has served as lead agency in accomplishing the design, environmental approval and construction activities for capital improvements considered base-wide obligations under the BRP and this CIP. Where FORA is not the lead agency, reimbursement agreements are negotiated and control how the lead agency receives FORA's share of funding. FORA's obligation with respect to those improvements is financial. Reimbursement agreements are currently in place with Monterey County and the City of Marina for several FORA CIP transportation improvements. Table 2 identifies those improvements, the current obligations (in 2016 dollars) and shows a five-year plan to complete the obligation. The five-year plan is dependent upon the estimated Cash Flow from CFD collections and Land Sales and the priorities set by the jurisdictions using the evidence based approach.

Transit

Transit obligations enumerated in Table 1 remain unchanged from the 1997 TAMC Study and adopted BRP. However, long-range planning by TAMC and Monterey-Salinas Transit (MST) reflect a preferred route for the multi-modal corridor (MMC) different than originally presented in the BRP, FEIR and previous CIPs. The BRP provided for a MMC along Imjin Parkway/Blanco Road serving to and from the Salinas area to the TAMC/MST intermodal center planned at 8th Street and 1st Avenue in the City of Marina portion of the former Fort Ord. Long-range planning for transit service resulted in an alternative Intergarrison/Reservation/Davis Roads corridor to increase habitat protection and fulfill transit service needs between the Salinas area and Peninsula cities and campuses.

A series of stakeholder meetings were conducted to advance adjustments and refinements to the proposed multi-modal corridor plan-line. Stakeholders included, but were not limited to, TAMC, MST, FORA, City of Marina, Monterey County, California State University Monterey Bay (CSUMB), and the University of California Monterey Bay Education, Science and Technology Center. The stakeholders completed a Memorandum of Agreement (MOA) outlining the new alignment of the multi-modal transit corridor plan line in February 2010. Since all stakeholders have signed the MOA, the FORA Board designated the new alignment and rescinded the original alignment on December 10, 2010.

In 2015, TAMC re-evaluated the MMC route once again, holding stakeholder and public outreach meetings to determine how to best meet the transit needs of the community. They have selected Imjin Parkway/Reservation Road/Davis Road as the new preferred alternative. TAMC anticipates requesting FORA Board concurrence, adopting the final MMC alignment and preparing a new MOA to supersede the 2010 MOA alignment in the 2016/17 fiscal year. Full build-out of the MMC route is expected to take 20 years.

Figure 1. Transportation Map

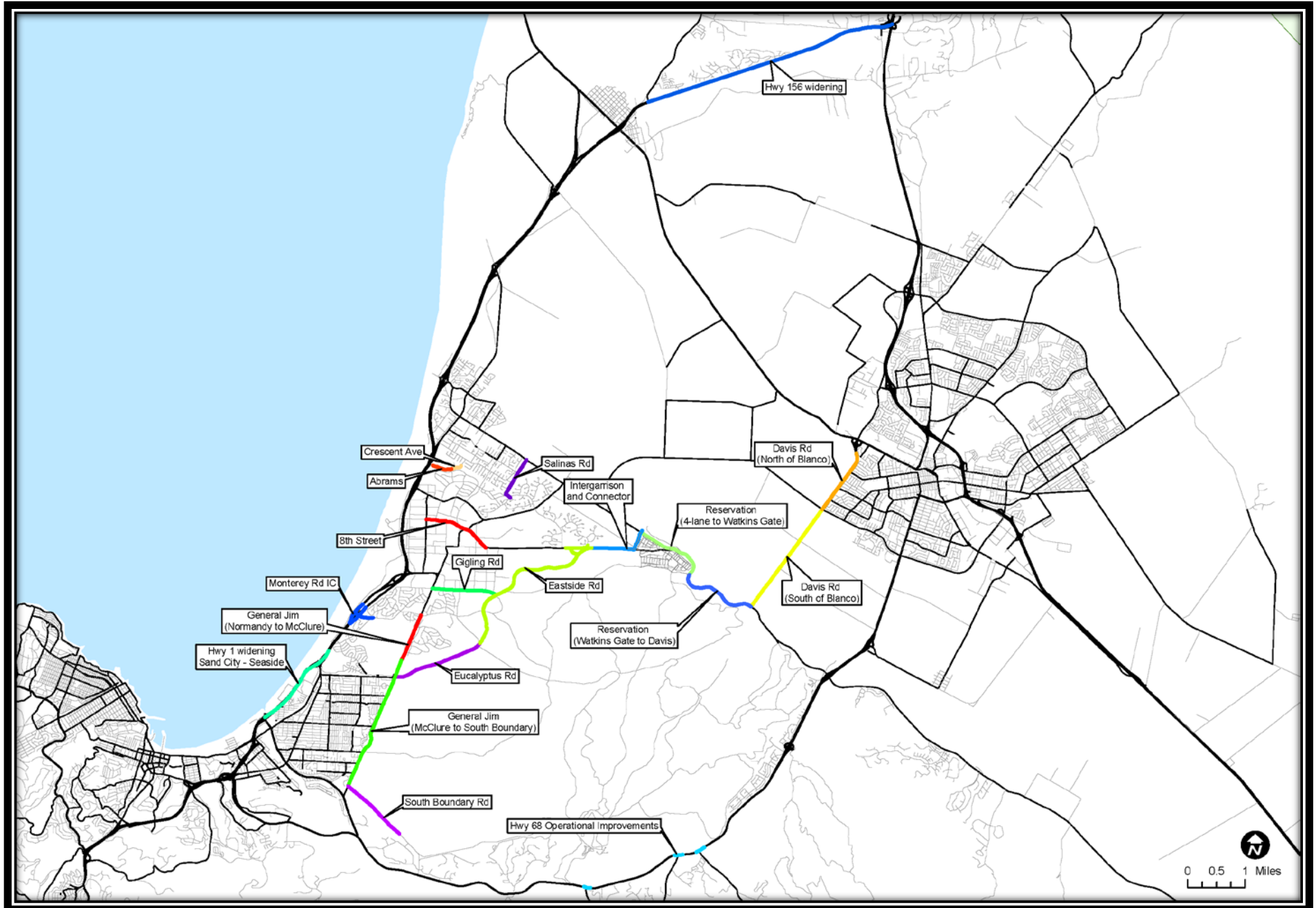
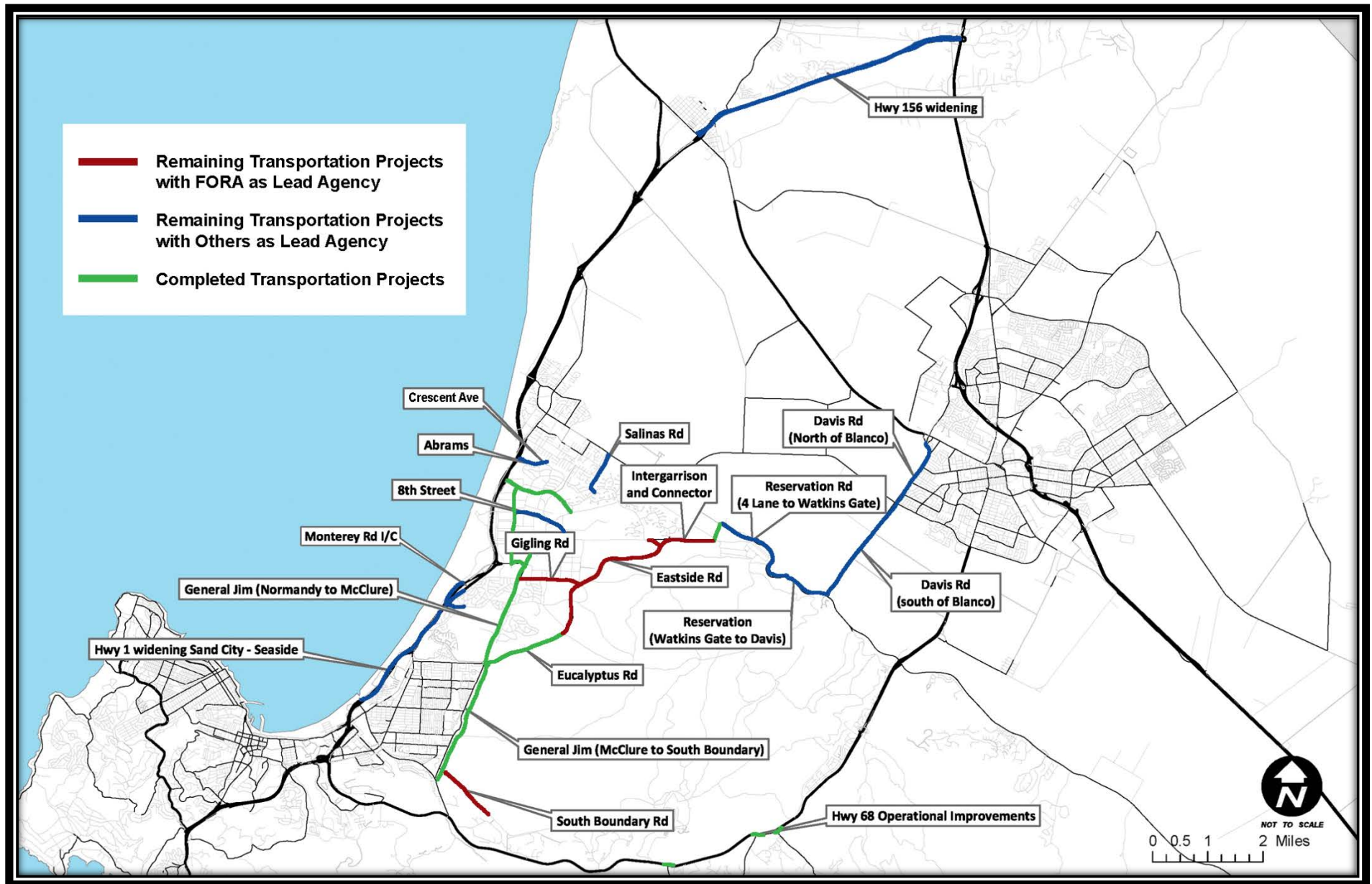


Figure 2. Remaining Transportation Projects



b) Water Augmentation

The Fort Ord BRP identifies availability of water as a resource constraint. The BRP anticipated build out development density utilizes the 6,600 acre-feet per year (AFY) of available groundwater supply, as described in BRP Appendix B (PFIP section p 3-63). In addition to groundwater supply, the BRP assumes an estimated 2,400 AFY augmentation to achieve the permitted development level as reflected in the BRP (Volume 3, figure PFIP 2-7).

In the 1998 Water Wastewater Facilities Agreement (FA) FORA contracted with Marina Coast Water District (MCWD) to implement water augmentation programs identified by FORA for the Ord Community. Following a comprehensive two-year process evaluating viable options, the MCWD Board of Directors certified, in October 2004, a program-level Environmental Impact Report (EIR) analyzing three potential augmentation projects. The projects included a desalination project, a recycled water project and a hybrid project (containing components of both recycled water and desalination projects).

In June 2005, MCWD staff and consultants, in coordination with FORA staff and the Administrative Committee, recommended the hybrid project, later superseded by the Regional Water Augmentation Project (RUWAP) to the FORA and MCWD Boards of Directors. The Boards approved the RUWAP for implementation by MCWD per the FA.

Additionally, it was recommended that FORA-CIP funding of former Fort Ord Water and Wastewater Collection Systems be increased by an additional \$17M to avert additional burden on rate payers from increased capital costs. A 2013 MCWD rate study recommended removing the “voluntary contribution” from the MCWD budget and the EPS Phase III CIP Review results concurred, resulting in a commensurately lowered FORA CFD/developer fee.

Several factors required reconsideration of the water augmentation program. Those factors included 1) Increased augmentation program & project costs (identified as designs were refined), 2) negotiations by other agencies regarding the recycled component of the project were not accomplished and, 3) the significant economic downturn from 2008-2012. These factors deferred the RUWAP as the identified augmentation project and provided an opportunity to consider the alternative “Regional Plan” as the preferred project to meet water augmentation program requirements.

In April 2008, the FORA Board endorsed the Regional Plan as the preferred project to deliver the requisite 2,400 AFY of augmenting water to the 6,600 AFY groundwater entitlements. The Regional Plan consisted of a large Saltwater Desalinization plant able to meet the region’s demand. In 2012, the parties halted the project. With the cessation of the Regional Plan, the identified solution for FORA’s water augmentation program defaulted back to the prior Board-approved RUWAP. MCWD as provider under the FA still holds the contractual obligation to continue the implementation of the CEQA approved ‘hybrid’ project. The former recycled portion of the RUWAP has been revived and a three party agreement between FORA, MRWPCA and MCWD approved to carry it out. The remaining task is to identify other water augmentation alternatives to complement the recycled water project. Among the alternatives are groundwater replacement, desalinization, conservation and intensified recycled programs.

RUWAP Recycled

In 2014 Monterey Regional Water Pollution Control Agency (MRWPCA) presented a solution to the ‘Recycled’ portion of the RUWAP. Known as the Pure Water Monterey (PWM) project, MRWPCA would use water collected at the MCWD facility and apply their Advanced Water Treatment (AWT) thereby creating recycled water of a higher quality than the Tertiary Treated Water originally planned for the RUWAP. In October 2015 the FORA Board approved using PWM as a possible source of recycled water,

and recommended the project to the California Public Utilities Commission in March 2016. In April 2016 MCWD and MRWPCA came to an agreement whereby MCWD would use AWT in lieu of Tertiary Treated Water. As part of the agreement, the two agencies agreed to split the cost of building the RUWAP Trunk-line/conveyance facilities ('Pipeline'). FORA is currently in negotiations with MCWD to contribute to the identified facilities in a manner enabling decreased cost of the 'Pipeline' and creating a benefits for the Fort Ord community as well as the greater region.

RUWAP Other

A solution for the 'other' portion of the RUWAP came in 2015 when MCWD's Budget/Compensation Plan was approved along with a MOA wherein FORA and MCWD agreed to enter into a Three-Party Planning effort with MRWPCA to identify what the 'other' portion of the project will be. This solution allows the three agencies to determine what Alternatives are available in place of the Large Desalinization Plant identified in the previous Regional Plan, while ensuring that rate increases are applied appropriately to the CIPs. A Memorandum of Understanding (MOU) has been negotiated between the three parties enabling a study of alternatives and their possible combinations such as Conservation methods, ground water recharge, increased AWT, urban storm-water capture, small scale desalinization, and others. The study is planned for 2016/17 with the identification of a water augmentation program provided to the FORA Board for approval and MCWD for implementation by 2017/18.



MCWD putting in water lines in East Garrison Phase 2, summer 2015.

c) Storm Drainage System Projects

FORA completed the construction of new facilities and demolition of dilapidated out-falls as of January 2004. Table 3 reflects this obligation having been met. Background information can be found in previous CIP documents online at www.fora.org.

d) Habitat Management Requirements

The BRP Appendix A, Volume 2 contains the Draft Habitat Management Program (HMP) Implementing/Management Agreement. This Management Agreement defines the respective rights and obligations of FORA, its member agencies, California State University (CSU) and the University of California (UC) with respect to implementation of the HMP. To allow FORA and its member agencies to implement the HMP and BRP in compliance with the Endangered Species Act, the California Endangered Species Act, and other statutes, the US Fish & Wildlife Service (USFWS) and the California Department of Fish & Wildlife (CDFW) must also approve the Fort Ord Habitat Conservation Plan (HCP) and its funding program, as paid for and prepared by FORA.

The funding program is predicated on an earnings rate assumption acceptable to USFWS and CDFW for endowments of this kind, and economies of scale provided by unified management of the habitat lands by qualified habitat managers selected by the future HCP Joint Powers Authority's Cooperative (Cooperative). The Cooperative will consist of the following members: FORA, County of Monterey, City of Marina, City of Seaside, City of Del Rey Oaks, City of Monterey, State Parks, UC, CSU Monterey Bay, Monterey Peninsula College (MPC), Monterey Peninsula Regional Park District, Bureau of Land Management and MCWD. The Cooperative will hold the Cooperative endowment, and UC will hold the Fort Ord Natural Reserve (FONR) endowment. The Cooperative will control expenditure of its annual line items. FORA will fund the endowments and the initial and capital costs to the agreed upon levels.

FORA has provided upfront funding for management, planning, capital costs and HCP preparation. In addition, FORA has dedicated 30.2% of development fee collections to build to a total endowment of principal funds necessary to produce an annual income sufficient to carry out required habitat management responsibilities in perpetuity. The original estimate totaling \$6.3M was developed by an independent consultant retained by FORA.

Based upon conversations with the regulatory agencies, it has become apparent that the Habitat Management obligations will increase beyond the costs originally projected. Therefore, this document contains a $\pm$ \$44.9M line item of forecasted requisite expenditures (see Table 3 column '2005-16' amount of \$9,803,000 plus column '2016-17 to Post FORA Total' amount of \$35,069,084).

As part of the FY 2010-11 FORA CIP Review process conducted by EPS, TAMC and FORA, at the FORA Board's April 8, 2011 direction, included \$21.8M in current dollars as a CIP contingency for additional habitat management costs should the assumed payout rate for the endowment be 1.5% less than the current 4.5% assumption. It is hoped that this contingency will not be necessary, but USFWS and CDFW are the final arbiters as to what the final endowment amount will be, with input from FORA and its contractors/consultants. The final endowment amount is expected to be agreed upon in the upcoming fiscal year. FORA's annual operating budget has funded the annual costs of HCP preparation, including consultant contracts. HCP preparation is funded through non-CFD/development fee sources such as FORA's share of property taxes.

The current screencheck draft HCP prepared in March 2015 includes a cost and funding chapter, which provides a planning-level cost estimate for HCP implementation and identifies necessary funds to pay for implementation. Concerning the annual costs necessary for HCP implementation and funded by FORA, of approximately \$1.9 million in annual costs, estimated in 2016 dollars, approximately 34% is associated with habitat management and restoration, 27% for program administration and reporting, 23% for species monitoring, and 16% for changed circumstances and other contingencies.

e) Fire Fighting Enhancement Requirements

FORA transferred equipment titles to the appropriate fire-fighting agencies in April 2014. FORA's obligation for fire-fighting enhancement has been fully met. Background information can be found in previous CIP documents online at www.fora.org.

f) Building Removal Program

As a base-wide obligation, the BRP includes the removal of building stock to make way for reuse, remove environmental hazards, and blight in certain areas of the former Fort Ord. In FY 01/02 the FORA Board established policy regarding building removal obligations. One of FORA's obligations includes City of Seaside Surplus II buildings. The policy fixed the overall FORA funding obligation to Surplus II at \$4M, and the City of Seaside decides which buildings to remove. The FORA Board additionally established criteria to address how the building removal program would proceed at Surplus II: 1) buildings must be within Economic Development Conveyance parcels; 2) building removal is required for reuse; 3) buildings are not programmed for rehabilitation; and, 4) buildings along Gigling Road potentially fit the criteria. When the City of Seaside, working with any developer, determines which buildings should be removed, FORA would forego a portion of land sale proceeds in an amount commensurate with actual costs, up to \$4M (December 1996 Reimer Associates Fort Ord Demolition Study). All jurisdictions have been treated in a similar manner but have widely varying building removal needs that FORA accommodates with available funds. FORA is currently studying the feasibility of indexing the original agreed-upon cost estimate to compensate for delayed implementation of this effort and recover the increase in removal costs during the intervening period.

Per Board direction, building removal is funded by land sales revenue and/or credited against land sale valuation. Two MOAs, described below, were finalized for these purposes:

In August 2005, FORA entered into an MOA with the City of Marina Redevelopment Agency and Marina Community Partners (MCP), assigning FORA \$46M in building removal costs within the Dunes on Monterey Bay project and MCP the responsibility for the actual removal. FORA paid \$22M and MCP received FORA land sale credits of \$4.6M out of a total \$24M in available credits for building removal costs. \$26.6M of FORA's \$46M building removal obligation was thus completed as agreed by the City of Marina and MCP in 2007. FORA was to fund its remaining \$19.4M building removal obligation through land sales credits when the City of Marina transferred its Fort Ord lands to MCP for future phases of the Dunes on Monterey Bay project. The MOA identified the majority of buildings in the project area for building removal; however, the stockade remained and was not part of the property transfer to MCP, therefore the obligation remains.

In February 2006, FORA entered into an MOA with Monterey County, the Monterey County Redevelopment Agency and East Garrison Partners (EGP). In this MOA, EGP agreed to undertake FORA's responsibility for removal of certain buildings in the East Garrison Specific Plan for which they received a credit of \$2.1M against FORA's portion of land sale proceeds. Building removal in the East Garrison project area is now complete. Since this agreement was made, the property was acquired by a new entity who is required to comply with the financial terms of the MOA.

FORA's remaining building removal obligations include the former Fort Ord stockade within the City of Marina ($\pm$ \$2.2M) and, as previously discussed, buildings in the City of Seaside's Surplus II area ($\pm$ \$5.4M). In 2011, FORA, at the direction of the City of Seaside, removed a building in the Surplus II area which is explained in more detail in Appendix B. FORA will continue to work closely with the Cities of Marina and Seaside as new specific plans are prepared for those areas.

Since 1996 FORA has been aggressively reusing, redeveloping, and/or deconstructing former Fort Ord buildings in environmentally sensitive ways to reuse or reclaim significant building materials. FORA worked closely with regulatory agencies and local contractors to safely abate hazardous materials, maximize material reuse and recycling, and create an educated work force to take advantage of jobs created on the former Fort Ord. FORA (supported by Seaside and CSUMB) submitted a grant request to the EDA for \$320,000 to survey hazardous materials and develop a business plan and cost estimates for removing the Surplus II buildings, which was not awarded so FORA and Seaside moved ahead on their own to complete FORA's building removal obligation.

In late 2015 FORA staff met with Seaside to coordinate the potential application of FORA Building removal obligation funds to Surplus II, although FORA's funds will not be enough to remove the hazardous materials and buildings from the site. Seaside and FORA staff determined that the first step to knowing what was involved in removing buildings from Surplus II was to survey buildings for hazardous materials and commission a hazardous materials removal estimate. In early 2016, FORA released a Request for Proposals and competitively selected an Industrial Hygienist firm to provide hazardous material surveys in Surplus II. The surveys and a hazardous materials removal estimate is to be completed in mid-2016.



Building Removal by FORA opened land for the Dunes on Monterey Bay housing and new Veterans Hospital on 8th Avenue.

In 2016 FORA staff met with the City of Marina to coordinate access to the Marina stockade which currently hosts Las Animas concrete production and operations under a lease from the City of Marina. Marina is taking the lead to negotiate with Las Animas for access to the building for removal. FORA will commission the stockade hazardous material surveys while access is being coordinated. Once the surveys are complete and access has been secured, FORA will begin building removal.

FORA, CSUMB and the jurisdictions continue to leverage their accumulated expertise and experience and focus on environmentally sensitive reuse, removal of structures, and recycling remnant structural and site materials, while applying lessons learned from past FORA efforts to "reduce, reuse and recycle" materials from former Fort Ord structures as described in Appendix B.

g) Water and Wastewater Collection Systems

Following a competitive selection process in 1997, the FORA Board approved MCWD as the purveyor to own and operate water and wastewater collection systems on the former Fort Ord. By agreement with FORA, MCWD is tasked to assure that a Water and Wastewater Collection Systems Capital Improvement Program is in place and implemented to accommodate repair, replacement and expansion of the systems. To provide uninterrupted service to existing customers and to track with system expansion to keep pace with proposed development, MCWD and FORA staff coordinate system(s) needs with respect to anticipated development. MCWD is engaged in the FORA CIP process, and adjusts its program coincident with the FORA CIP.

In 1997, the FORA Board established a Water and Wastewater Oversight Committee (WWOC), which serves in an advisory capacity to the Board. A primary function of the WWOC is to meet and confer with MCWD staff in the development of operating and capital budgets and corresponding customer rate structures.

Annually, the WWOC and FORA staff prepare recommended actions for the Board's consideration with respect to budget and rate approvals. Capital improvements for system(s) operations and improvements are funded by customer rates, fees and charges. Capital improvements for the system(s) are approved on an annual basis by the MCWD and FORA Boards. See Appendix E for the FY 2016/17 Ord Community CIP list.

h) Property Management and Caretaker Costs

During the 2010/2011 Phase I CIP Review, FORA jurisdictions expressed concern over accepting 1,200+ acres of former Fort Ord properties without sufficient resources to manage them. Since the late 1990's, FORA carried a CIP contingency line item for "caretaker costs." These obligations are not BRP required CEQA mitigations, but are considered base-wide obligations (similar to FORA's building removal obligation). In order to reduce contingencies, EPS proposed contingencies of \$16M be excluded from the CIP cost structure and this was used as the original basis for the 2011-12 CFD Special Tax fee reductions. Since then, the Board recommended a "Property Management/Caretaker Costs" line item be added back as an obligation to cover base-wide property management costs. In FY 2015/16 the Board approved a Jurisdiction-Incurred Caretaker Costs Reimbursement Policy.

This policy clarifies that FORA funding for caretaker costs shall be determined by "allocating a maximum of \$500,000 in the prior fiscal year's property taxes collected and designated to the FORA CIP. Each subsequent year, the maximum funding for caretaker costs may be decreased assuming that, as land transfers from jurisdictions to third party developers, jurisdictions' caretaker costs will decrease. If FORA does not collect and designate to the CIP sufficient property taxes in a given fiscal year to fund the maximum amount of caretaker costs allowed that fiscal year, the actual amount of property taxes collected and designated to the CIP during the fiscal year shall be used to determine the amount of caretaker costs funding. FORA shall set caretaker costs funding through the approved FORA CIP." Caretaker Costs funding designated in the FY 2016/17 CIP is \$34,674.

III. FY 2016/17 THROUGH POST-FORA CAPITAL IMPROVEMENT PROGRAM

The following tables depict the Capital Improvement Program: Tables 1 and 2 illustrate the obligatory project offsets and remaining obligations. Table 3 is a summary of the Capital Improvement Program from FY 2016/17 through post-FORA, with footnotes to guide understanding of line item titles. Table 4 itemizes the jurisdictions' projections for new building that will generate Community Facilities District revenue to FORA. Table 5 shared the land sale revenues that are anticipated in association with jurisdiction land sale projections on former Fort Ord lands. Tables 6 and 7 break out the land sales to residential and non-residential by project. Table 8 provides information on estimated development acreage. Table 9 models estimated property tax revenue collections.



This water tender is one of five fire-fighting trucks, paid for over time with developer fees, distributed to local jurisdictions to enhance their firefighting capabilities.

Table 1. Obligatory Project Offsets and Remaining Obligation

Project #	Project Title	Project Limits	TAMC Reallocation Study 2005		FORA Offsets	FORA Remaining
			TOTAL COST	FORA PORTION	2005-2016	Obligation Indexed*
Regional Improvements						
R3	Hwy 1-Seaside Sand City	Widen highway 1 from 4 lanes to 6 lanes from Fremont Avenue Interchange south to the Del Monte Interchange	\$ 45,000,000	15,282,245	-	22,903,427
R10	Hwy 1-Monterey Rd. Interchange	Construct new interchange at Monterey Road	19,100,000	2,496,648	-	3,741,714
R11	Hwy 156-Freeway Upgrade	Widen existing highway to 4 lanes and upgrade highway to freeway status with appropriate interchanges. Interchange modification as needed at US 156 and 101.	197,000,000	7,092,169	-	10,629,001
R12	Hwy 68 Operational Improvements	Operational improvements at San Benancio, Laureles Grade and at Corral De Tierra including left turn lanes and improved signal timing	9,876,000	223,660	312,205	-
Subtotal Regional			\$ 270,976,000	25,094,722	312,205	37,274,143
Off-Site Improvements					-	
1	Davis Rd n/o Blanco	Widen to 4 lanes from the SR 183 bridge to Blanco	\$ 3,151,000	506,958	-	759,776
2B	Davis Rd s/o Blanco	Widen to 4 lanes from Blanco to Reservation; Build 4 lane bridge over Salinas River	22,555,000	9,242,411	537,203	12,447,987
4D	Widen Reservation-4 lanes to WG	Widen to 4 lanes from existing 4 lane section East Garrison Gate to Watkins Gate	10,100,000	3,813,916	476,584	5,097,496
4E	Widen Reservation, WG to Davis	Widen to 4 lanes from Watkins Gate to Davis Rd	5,500,000	2,216,321	-	3,321,590
8	Crescent Ave extend to Abrams	Extend existing Crescent Court Southerly to join proposed Abrams Dr (FO2)	906,948	906,948	-	1,359,239
Subtotal Off-Site			\$ 42,212,948	16,686,554	1,013,787	22,986,087
On-Site Improvements						
FO2	Abrams	Construct a new 2-lane arterial from intersection with 2nd Ave easterly to intersection with Crescent Court extension	\$ 759,569	759,569	-	1,138,362
FO5	8th Street	Upgrade/construct new 2-lane arterial from 2 nd Ave to Intergarrison Rd	4,340,000	4,340,000	1,018,890	5,392,321
FO6	Intergarrison	Upgrade to a 4-lane arterial from Eastside Rd to Reservation	4,260,000	4,260,000	1,559,469	4,380,385
FO7	Gigling	Upgrade/Construct new 4-lane arterial from General Jim Moore Blvd easterly to Eastside Rd	5,722,640	5,722,640	353,510	8,097,846
FO9B (Ph-II)	GJM Blvd-Normandy to McClure	Widen from 2 to 4 lanes from Normandy Rd to McClure	24,065,000	24,065,000	6,252,156	-
FO9B (Ph-III) [1]	GJM Blvd-s/o McClure to s/o Coe	Widen from 2 to 4 lanes from McClure to Coe			3,476,974	-
FO9C	GJM Blvd-s/o Coe to S Boundary	Widen from 2 to 4 lanes from s/o Coe to South Boundary Rd			13,698,746	1,059,490
FO11	Salinas Ave	Construct new 2 lane arterial from Reservation Rd southerly to Abrams Dr	3,038,276	3,038,276	-	4,553,449
FO12	Eucalyptus Rd	Upgrade to 2 lane collector from General Jim Moore Blvd to Eastside Rd to Parker Flats cut-off	5,800,000	5,800,000	5,328,055	520,890
FO13B	Eastside Pkwy (New alignment)	Construct new 2 lane arterial from Eucalyptus Rd to Parker Flats cut-off to Schoonover Dr	12,536,370	12,536,370	510,000	18,198,908
FO14	S Boundary Road Upgrade	Upgrade to a 2 lane arterial, along existing alignment from General Jim Moore Blvd to York Rd	2,515,064	2,515,064	338,986	3,302,613
Subtotal On-Site			\$ 63,036,919	63,036,919	32,536,786	46,644,265
Transportation Totals			\$ 376,225,867	\$ 104,818,195	\$ 33,862,778	\$ 106,904,495
[1] Remaining construction may be phased in future CIP documents based on available funds and habitat/environmental clearance.						
* Construction Cost Index - January to January. Obligation set in 2005 by the TAMC Re-allocation Study. Remaining Obligation indexed at the end of each Fiscal Year (June 30)						
Transit Capital Improvements						
T3	Transit Vehicle Purchase/Replace	15 busses	\$ 15,000,000	6,298,254	378,950	9,098,135
T22	Intermodal Centers	(PFIP T-31) includes 3 elements: 1. Intermodal Transportation Center @ 1st. Avenue South of 8th. Street 2. Park and Ride Facility @ 12th Street and Imjin, and 3. Park and Ride Facility @ 8th. Street and Gigling	3,800,000	4,786,673	-	7,086,679
Transit Totals			\$ 18,800,000	\$ 11,084,926	\$ 378,950	\$ 16,184,814
Transportation/Transit Totals			\$395,025,867	\$ 115,903,121	\$34,241,728	\$ 123,089,309
Previous Offsets 1995 - 2004						
1. Transportation/Transit - TAMC Study 1995						
FORA offsets against obligations for transportation/transit network per 1995 TAMC Study from 1995-2004. Funded by EDA grant funds, state and local matching funds, revenue bond proceeds, development fees.					\$ 32,235,648	
2. Storm Drainage System						
Retain/Percolate stormwater, eliminate discharge of stormwater to Monterey Bay Sanctuary. Project completed/financial obligation met in 2004. Funded by EDA grant proceeds.					\$ 1,631,951	
TOTAL CUMULATIVE OFFSETS AGAINST TRANSPORTATION/TRANSIT AND STORM DRAINAGE PROJECTS TO DATE					\$ 68,109,327	

Table 2. Transportation Network and Transit Elements

Lead Agency	Regional Improvements									
	Proj#	Description	Obligation	2016-2017	2017-2018	2018-2019	2019-2020	POST FORA	TOTALS	Proj#
TAMC/Caltrans	R3a	Hwy 1-Del Monte-Fremont-MBL	\$ 22,903,427					22,903,427	22,903,427	R3
TAMC/Caltrans	R10	Hwy 1-Monterey Rd. Interchange	3,741,714					3,741,714	3,741,714	R10
TAMC/Caltrans	R11	Hwy 156-Freeway Upgrade	10,629,001			2,000,000	4,000,000	4,629,001	10,629,001	R11
	Subtotal Regional		\$ 37,274,143	-	-	2,000,000	4,000,000	31,274,143	37,274,143	
	Off-Site Improvements									
	Proj#	Description	Obligation	2016-2017	2017-2018	2018-2019	2019-2020	POST FORA	TOTALS	Proj#
Monterey County	1	Davis Rd north of Blanco	\$ 759,775	-	-	-	-	759,775	759,775	1
Monterey County	2B	Davis Rd south of Blanco	12,447,987	75,000	75,000	75,000	1,500,000	10,722,987	12,447,987	2B
Monterey County	4D	Widen Reservation-4 lanes to WG	5,097,495	-	-	-	-	5,097,495	5,097,495	4D
Monterey County	4E	Widen Reservation, WG to Davis	3,321,589	-	-	-	-	3,321,589	3,321,589	4E
City of Marina	8	Crescent Ave extend to Abrams	1,359,239	-	-	-	1,359,239	-	1,359,239	8
	Subtotal Off-Site		\$ 22,986,085	75,000	75,000	75,000	2,859,239	19,901,846	22,986,085	
	On-Site Improvements									
	Proj#	Description	Obligation	2016-2017	2017-2018	2018-2019	2019-2020	POST FORA	TOTALS	Proj#
City of Marina	FO2	Abrams	\$ 1,138,362	-	-	-	1,138,362	-	1,138,362	FO2
City of Marina	FO5	8th Street	5,392,321	-	-	-	2,500,000	2,892,321	5,392,321	FO5
FORA	FO6	Intergarrison	4,380,385	150,000	500,000	2,000,000	1,730,385	-	4,380,385	FO6
FORA	FO7	Gigling	8,097,846	1,150,000	150,000	2,326,921	4,470,925	-	8,097,846	FO7
FORA	FO9C	GJM Blvd	1,059,489	500,000	559,489	-	-	-	1,059,489	FO9C
City of Marina	FO11	Salinas Ave	4,553,449	-	-	-	4,553,449	-	4,553,449	FO11
FORA	FO12	Eucalyptus Road	520,890	50,000	-	470,890	-	-	520,890	FO12
FORA	FO13B	Eastside Parkway	18,198,908	250,000	1,750,000	4,500,000	10,448,908	1,250,000	18,198,908	FO13B
FORA	FO14	South Boundary Road Upgrade	3,302,612	1,800,000	1,502,612	-	-	-	3,302,612	FO14
	Subtotal On-Site		\$ 46,644,262	3,900,000	4,462,101	9,297,811	24,842,029	4,142,321	46,644,262	
	Transportation Totals		\$ 106,904,490	3,975,000	4,537,101	11,372,811	31,701,268	55,318,310	106,904,490	
	Transit Capital Improvements									
	Proj#	Description	Obligation	2016-2017	2017-2018	2018-2019	2019-2020	POST FORA	TOTALS	Proj#
MST	T3	Transit Vehicle	\$ 9,098,135	1,000,000		1,000,000	2,500,000	4,598,135	9,098,135	T3
MST	T22	Intermodal Centers	7,086,678	500,000	500,000	1,500,000		4,586,678	7,086,678	T22
	Subtotal Transit		\$ 16,184,813	1,500,000	500,000	2,500,000	2,500,000	9,184,813	16,184,813	
	Transportation and Transit GRAND TOTALS		\$ 123,089,303	\$ 5,475,000	\$ 5,037,101	\$ 13,872,811	\$ 34,201,268	\$ 64,503,123	\$ 123,089,303	

Table 3. Summary of Capital Improvement Program

	2005-16	2016-17	2017-18	2018-19	2019-20	Post-FORA	2016-17 to Post-FORA Total
A. CIP PROJECTS FUNDED BY CFD DEVELOPMENT FEES							
Dedicated Revenues							
Development Fees	\$ 33,291,262	6,739,869	9,971,892	20,705,227	32,383,933	91,096,426	160,897,347
Other Revenues							
Net Transfer from Property Taxes	7,824,478	422,472	788,835	1,538,504	2,751,053	-	5,500,864
Loan Proceeds - footnote (1)	7,926,754	-	-	-	-	-	-
Federal Grants - footnote (2)	6,426,754	-	-	-	-	-	-
CSU Mitigation fees	2,326,795	-	-	-	-	-	-
Miscellaneous (Rev Bonds, Interest, CFD credit)	3,578,191	25,000	-	-	-	-	25,000
TOTAL REVENUES	\$ 61,374,234	7,187,342	10,760,726	22,243,731	35,134,986	91,096,426	166,423,211
Expenditures							
Projects							
Transportation/Transit	\$ 34,241,728	5,475,000	5,037,101	13,872,811	34,201,268	64,503,123	123,089,303
Water Augmentation [CEQA Mitigation]	561,780	1,657,000	1,750,000	2,400,000	2,818,900	15,646,715	24,272,615
Transfer to Habitat Management Reserve - footnote (3)	9,803,000	2,035,440	3,011,511	6,252,979	9,779,948	13,989,206	35,069,084
Fire Rolling Stock	1,160,000	-	-	-	-	-	-
Total Projects	45,766,508	9,167,440	9,798,612	22,525,790	46,800,116	94,139,044	182,431,002
Other Costs & Contingency - footnote (4)							
Additional CIP Costs	3,034,400	821,250	755,565	2,080,922	5,130,190	9,675,468	18,463,395
Habitat Mgt. Contingency	1,021,685	95,000	-	-	-	21,683,537	21,778,537
CIP/FORA Costs	2,223,660	650,000	650,000	650,000	650,000	-	2,600,000
Property Tax Sharing Costs	-	-	-	-	-	-	-
Prevailing Wage Coordination Costs	-	250,000	250,000	250,000	250,000	-	1,000,000
Caretaker Costs	-	34,674	172,472	288,835	500,000	-	995,981
Other Costs (Debt Service) - footnote (5)	5,595,830	-	-	-	-	-	-
Total Other Costs & Contingency	11,875,575	1,850,924	1,828,038	3,269,756	6,530,190	31,359,005	44,837,913
TOTAL EXPENDITURES	\$ 57,642,083	11,018,364	11,626,650	25,795,546	53,330,306	125,498,050	227,268,916
Net Annual Revenue		(\$3,831,023)	(865,923)	(3,551,815)	(18,195,320)	(34,401,623)	(60,845,704)
Beginning Balance	\$ 1,432,934	1,432,934	(2,398,089)	(3,264,012)	(6,815,827)	(25,011,147)	1,432,934
Ending Balance CFD & Other	\$ 1,432,934	(\$2,398,089)	(\$3,264,012)	(\$6,815,827)	(\$25,011,147)	(\$59,412,770)	(\$59,412,770)
B. CIP PROJECTS FUNDED BY LAND SALE REVENUES							
Dedicated Revenues							
Land Sales - footnote (6)	\$ 49,706,940	480,187	3,325,170	7,301,955	19,631,709	32,648,380	63,387,402
Land Sales - Credits	6,767,300	-	6,460,000	6,460,000	6,505,408	-	19,425,408
Other Revenues - footnote (7)	1,425,000	-	-	-	-	-	-
Loan Proceeds - footnote (1)	7,500,000	-	-	-	-	-	-
TOTAL REVENUES	\$ 65,399,240	480,187	9,785,170	13,761,955	26,137,117	32,648,380	82,812,810
Expenditures							
Projects							
Building Removal	\$ 170,000	1,000,000	4,269,844	2,319,844	-	-	7,589,688
Building Removal Credits	28,767,300	-	6,460,000	6,460,000	6,505,408	-	19,425,408
Other Costs (Loan Pay-off, Debt Financing)	17,984,924	-	-	-	-	-	-
TOTAL PROJECTS	46,752,224	1,000,000	10,729,844	8,779,844	6,505,408	-	27,015,096
Other Costs & Contingency - footnote (8)							
Transfer to FORA Reserve	6,500,000	-	-	-	-	-	-
Building Removal Contingency	5,000,000	1,589,000	-	-	-	-	1,589,000
Total Other Costs & Contingency	11,500,000	1,589,000	-	-	-	-	1,589,000
TOTAL EXPENDITURES	\$ 58,252,224	2,589,000	10,729,844	8,779,844	6,505,408	-	28,604,096
Net Annual Revenue		(2,108,813)	(944,674)	4,982,111	19,631,709	32,648,380	54,208,714
Beginning Balance	6,825,018	6,825,018	4,716,205	3,771,532	8,753,643	28,385,352	6,825,018
Ending Balance Land Sales & Other	\$ 6,825,018	4,716,205	3,771,532	8,753,643	28,385,352	61,033,732	61,033,732
TOTAL ENDING BALANCE-ALL PROJECTS		\$2,318,117	\$507,520	\$1,937,816	\$3,374,205	\$1,620,962	\$1,620,962

Table 3 Footnotes

- (1) “Loan Proceeds” – In FY 05-06 FORA obtained a line of credit (LOC) to ensure CIP obligations could be met in a timely manner, despite cash flow fluctuations. The LOC draw-downs were used to pay road design, construction and building removal invoices and were partially repaid by any available revenues committed to the CIP. In FY 09-10 FORA repaid the remaining \$9M LOC debt (\$1.5M in transportation and \$7.5M in building removal) through a loan secured by FORA’s share of Preston Park. The loan also provided \$6.4M matching funds to US Department of Commerce EDA/American Recovery and Reinvestment Act (ARRA) grant funds. FORA sold Preston Park in FY 2015/16, retiring the loan on the property.
- (2) “Federal grants” – In FY 2010 FORA received ARRA funding to finance the construction of General Jim Moore Boulevard and Eucalyptus Road. FORA obtained a loan against its 50% share in Preston Park revenues to provide required match to the ARRA grant.
- (3) “Transfer to Habitat Management Reserve” – The ‘2005-2016’ column shows \$9.8M, which is currently held in an account building to the required Habitat Conservation Plan Endowment.
- (4) “Other Costs and Contingencies” – are subject to cash flow and demonstrated need. “Additional CIP Costs” are expenditures for transportation projects (contract change orders to the ESCA, general consulting, additional base wide expenditures, street landscaping, site conditions, project changes, additional habitat/environmental mitigation). ‘Habitat Management Contingency’ provides interim funding for UC Fort Ord Natural Reserve until adoption of HCP endowment and potential increase to cost. ‘CIP/FORA costs’ provides for FORA staff, overhead, and direct consulting costs. In FY 2015/16, the FORA Board approved Prevailing Wage and Caretaker Costs to be funded with these property taxes.
- (5) “Other Costs (Debt Service)” – payment of borrowed funds, principal and interest (see #1 ‘Loan Proceeds’).
- (6) “Land Sales” – The ‘2005-2016’ column includes land sale proceeds from the Preston Park acquisition by the City of Marina in June 2015.
- (7) “Other Revenues” – applied against building removal includes Abrams B loan repayment of \$1,425,000.
- (8) “Other Costs and Contingency” – This includes land sale proceeds to create a \$10M Reserve to fund FORA operating liabilities through 2020 and a \$5M contingency to complete building removal responsibilities, both approved in the FY 2016/17 annual budget.

Table 4. Community Facilities District Revenue

CFD = Table 8 unit of measure x Fee/Special Tax

Land Use: Location & Description	Land Transfer Type	2016-17	2017-18	2018-19	2019-20	Post-FORA	Totals
<u>New Residential</u>	<u>Sub-Total</u>	\$ 6,339,213	\$ 9,248,628	\$ 14,523,421	\$ 19,620,811	\$ 79,124,262	\$ 207,980,598
Marina Heights	MAR	1,797,687	3,406,144	4,257,681	4,399,603	10,975,354	35,811,824
The Promontory 2	MAR	-	-	-	-	-	-
Dunes on Monterey Bay	MAR	709,613	2,128,840	2,128,840	2,128,840	15,989,956	39,076,046
TAMC Planned	MAR	-	-	2,365,378	2,365,378	-	4,730,756
UC Planned	UC	-	-	-	2,601,916	3,074,991	8,751,899
East Garrison I	MCO	3,784,605	3,311,529	2,838,454	2,365,378	14,925,536	42,151,037
Seaside Resort Housing	SEA	47,308	47,308	94,615	141,923	2,507,301	5,345,754
Seaside Planned	SEA	-	354,807	2,838,454	2,365,378	17,976,873	41,512,385
Del Rey Oaks Planned	DRO	-	-	-	3,074,991	13,269,771	29,614,534
Other Residential Planned	Various	-	-	-	-	-	-
CSUMB Planned	CSU	-	-	-	177,403	404,480	986,363
<u>Existing/Replacement Residential</u>	<u>Sub-Total</u>	\$ -	\$ -	\$ -	\$ 2,365,378	\$ 4,730,756	\$ 11,826,890
Cypress Knolls	MAR	-	-	-	2,365,378	4,730,756	11,826,890
Seaside Highlands	SEA	-	-	-	-	-	-
<u>Office</u>	<u>Sub-Total</u>	\$ 19,033	\$ 113,079	\$ 69,517	\$ 103,822	\$ 272,773	\$ 850,997
Del Rey Oaks Planned	DRO	-	81,425	-	-	-	81,425
Monterey Planned	MRY	-	-	-	36,748	110,127	257,002
East Garrison I Office Development	MCO	2,850	-	2,036	-	2,036	8,957
Imjin Office Park	MAR	-	-	-	-	-	-
Dunes on Monterey Bay	MAR	10,178	10,178	20,356	20,356	54,962	170,992
Cypress Knolls Community Center	MAR	-	3,257	-	-	-	3,257
Interim Inc. - Rockrose Gardens	MAR	-	-	-	-	-	-
Marina (Planned)	MAR	6,005	6,005	6,005	6,005	12,010	48,041
TAMC Planned	MAR	-	-	4,071	4,071	-	8,142
Seaside Planned	SEA	-	-	20,763	-	20,356	61,476
UC Planned	UC	-	12,214	16,285	36,641	73,282	211,705
<u>Industrial</u>	<u>Sub-Total</u>	\$ -	\$ 9,975	\$ 12,023	\$ 51,444	\$ 32,823	\$ 139,086
Monterey Planned	MRY	-	-	-	12,824	25,698	64,220
Industrial - City Corp. Yard	MAR	-	-	-	-	-	-
Dunes on Monterey Bay	MAR	-	5,344	5,344	9,618	-	20,305
Cypress Knolls Support Services	MAR	-	1,069	-	-	-	1,069
Marina Planned	MAR	-	-	-	-	-	-
TAMC Planned	MAR	-	-	3,117	3,117	-	6,234
Seaside Planned	SEA	-	-	-	22,322	-	22,322
UC Planned	UC	-	3,562	3,562	3,562	7,125	24,936
<u>Retail</u>	<u>Sub-Total</u>	\$ 381,623	\$ 389,255	\$ 2,524,582	\$ 4,905,321	\$ 4,931,741	\$ 18,064,264
Del Rey Oaks Planned	DRO	29,356	-	-	-	-	29,356
East Garrison I Retail	MCO	117,422	117,422	-	-	-	234,845
Cypress Knolls Community Center	MAR	-	-	-	-	-	-
Dunes on Monterey Bay	MAR	234,845	176,134	176,134	140,907	-	728,019
TAMC Planned	MAR	-	-	220,167	220,167	-	440,334
Seaside Resort Golf Clubhouse	SEA	-	95,699	-	-	-	95,699
Seaside Planned	SEA	-	-	1,761,336	4,059,880	3,963,007	13,747,229
UC Planned	UC	-	-	366,945	484,367	968,735	2,788,782
<u>Hotel (rooms)</u>	<u>Sub-Total</u>	\$ -	\$ 210,955	\$ 3,575,684	\$ 5,337,157	\$ 2,004,071	\$ 13,131,937
Del Rey Oaks Planned	DRO	-	-	-	2,900,629	-	2,900,629
Dunes - Limited Service	MAR	-	-	-	-	-	-
Dunes - Full Service	MAR	-	-	2,109,548	-	-	2,109,548
Seaside Golf Course Hotel	SEA	-	210,955	147,668	1,381,754	-	1,740,377
Seaside Golf Course Timeshares	SEA	-	-	-	-	896,558	1,793,116
Seaside Planned	SEA	-	-	1,318,468	1,054,774	1,107,513	4,588,267
UC Planned	UC	-	-	-	-	-	-
TOTAL		\$ 6,739,869	\$ 9,971,892	\$ 20,705,227	\$ 32,383,933	\$ 91,096,426	\$ 160,897,347

Table 5. Land Sales Revenue

Land sale = Table 8 estimated acreage x \$188K per acre, indexed ½% to account for land value increase over time

Land Use Location & Description	Jurisdiction	2016-17	2017-18	2018-19	2019-20	Post-FORA	Forecast Total
<u>Office</u>							
Del Rey Oaks (Planned)	DRO	\$ -	\$ 5,081,524	\$ -	\$ -	\$ -	\$ 5,081,524
Monterey (Planned)	MRY	\$ -	\$ -	\$ -	\$ 2,362,659	\$ 7,246,676	\$ 9,609,335
Cypress Knolls (Planned)	MAR	\$ -	\$ 203,261	\$ -	\$ -	\$ -	\$ 203,261
Marina (Planned)	MAR	\$ -	\$ 374,762	\$ 380,384	\$ 386,090	\$ 5,144,022	\$ 6,285,258
Seaside (Planned)	SEA	\$ -	\$ -	\$ 1,315,226	\$ -	\$ 1,328,410	\$ 2,643,636
<u>Industrial</u>							
Monterey (Planned)	MRY	\$ -	\$ -	\$ -	\$ 824,530	\$ 1,689,595	\$ 2,514,125
Cypress Knolls (Planned)	MAR	\$ -	\$ 66,695	\$ -	\$ -	\$ -	\$ 66,695
TAMC (Planned)	MAR	\$ -	\$ -	\$ 197,445	\$ 200,407	\$ -	\$ 397,852
Seaside (Planned)	SEA	\$ -	\$ -	\$ -	\$ 1,435,141	\$ -	\$ 1,435,141
<u>Retail</u>							
Cypress Knolls (Planned)	MAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TAMC (Planned)	MAR	\$ -	\$ -	\$ 676,954	\$ 687,109	\$ -	\$ 1,364,063
Seaside (Planned)	SEA	\$ -	\$ -	\$ 5,415,635	\$ 12,670,283	\$ 28,244,481	\$ 46,330,399
Ord Shopette	MCO	\$ 1,000,000	\$ -	\$ -	\$ -	\$ 3,645,529	\$ 4,645,529
<u>Hotel (rooms)</u>							
Del Rey Oaks (Planned)	DRO	\$ -	\$ -	\$ -	\$ 2,888,026	\$ -	\$ 2,888,026
Seaside (Planned)	SEA	\$ -	\$ -	\$ 1,293,339	\$ 1,050,191	\$ 1,136,030	\$ 3,479,560
<u>New Residential</u> **6,160 unit cap on new residential until 18,000 new jobs on Fort Ord per BRP 3.11.5.4 (b) 2) & 3.11.5.4 (c)							
TAMC (Planned)	MAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Marina	MAR	\$ -	\$ 1,000,000	\$ 3,276,459	\$ 3,325,606	\$ 6,801,612	\$ 14,403,677
Seaside	SEA	\$ -	\$ 484,206	\$ 3,931,751	\$ 3,325,606	\$ 25,841,063	\$ 33,582,625
Del Rey Oaks	DRO	\$ -	\$ -	\$ -	\$ 17,000,000	\$ -	\$ 17,000,000
Various	Various	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CSUMB: Land Sales	CSU	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Sub-total - Estimated Land Sales		\$ 1,000,000	\$ 7,210,448	\$ 16,487,192	\$ 46,155,647	\$ 81,077,418	\$ 151,930,706
FORA Share (50% of Total)		\$ 500,000	\$ 3,605,224	\$ 8,243,596	\$ 23,077,824	\$ 40,538,709	\$ 75,965,353
Discounted Cash Flow 4.1% Bond Buyers Index		\$ 480,187	\$ 3,325,170	\$ 7,301,955	\$ 19,631,709	\$ 32,648,380	\$ 63,387,402

Table 6. Development Forecasts Fiscal Year 2016/17 through Post-FORA: Residential

Residential Annual Land Use Construction (dwelling units)

Land Use Location & Description	Juris- diction	Land Transfer Type	Built To Date	FORECAST YEAR					Forecast + Built
				2016-17	2017-18	2018-19	2019-20	Post FORA	
NEW RESIDENTIAL**6,160 unit cap on new residential until 18,000 new jobs on Fort Ord per BRP 3.11.5.4 (b) 2) & 3.11.5.4 (c)									
<u>Marina</u>									
Marina Heights (Entitled)	MAR	EDC		76	144	180	186	464	1,050
The Promontory (Entitled)	MAR	EDC		-	-	-	-	-	-
Dunes (Entitled)	MAR	EDC	261	30	90	90	90	676	1,237
TAMC (Planned)	MAR	EDC	-	-	-	100	100	-	200
Marina Subtotal			261	106	234	370	376	1,140	2,487
<u>Seaside</u>									
UC (Planned)	UC	EDC	-	-	-	-	110	130	240
East Garrison I (Entitled)	MCO	EDC	319	160	140	120	100	631	1,470
Seaside Highlands (Entitled)	SEA	Sale	152	-	-	-	-	-	152
Seaside Resort (Entitled)	SEA	Sale	5	2	2	4	6	106	125
Seaside (Planned)	SEA	EDC	-	-	15	120	100	760	995
Seaside Subtotal			476	162	157	244	316	1,627	2,982
<u>Other</u>									
Del Rey Oaks (Planned)	DRO	EDC	-	-	-	-	130	561	691
Other Residential (Planned)	Various	-	-	-	-	-	-	-	-
Other Subtotal			-	-	-	-	130	561	691
TOTAL NEW RESIDENTIAL			737	268	391	614	822	3,328	6160**
EXISTING/REPLACEMENT RESIDENTIAL									
Preston Park (Entitled)	MAR	EDC	352	-	-	-	-	-	352
Cypress Knolls (Planned)	MAR	EDC		-	-	100	100	200	400
Abrams B (Entitled)	MAR	EDC	192	-	-	-	-	-	192
MOCO Housing Authority (Entitled)	MAR	EDC	56	-	-	-	-	-	56
Shelter Outreach Plus (Entitled)	MAR	EDC	39	-	-	-	-	-	39
VTC (Entitled)	MAR	EDC	13	-	-	-	-	-	13
Interim Inc (Entitled)	MAR	EDC	11	-	-	-	-	-	11
Sunbay (Entitled)	SEA	Sale	297	-	-	-	-	-	297
Bayview (Entitled)	SEA	Sale	225	-	-	-	-	-	225
Seaside Highlands (Entitled)	SEA		228	-	-	-	-	-	228
TOTAL EXISTING/REPLACE			1,413	-	-	100	100	200	1,813
CSUMB (Planned)									
				-	-	-	150	342	492
TOTAL RESIDENTIAL UNITS			2,150	268	391	714	1,072	3,870	8,465

Table 7. Development Forecasts Fiscal Year 2016/17 through Post-FORA: Non-Residential

Non-Residential Annual Land Use Construction (*building square feet or hotel rooms per year*)

Land Use Location & Description	Juris- diction	Built To Date	FORECAST YEAR					Forecast + Built
			2016-17	2017-18	2018-19	2019-20	Post FORA	
NON-RESIDENTIAL								
<u>Office</u>								
Del Rey Oaks (Planned)	DRO	-	-	400,000	-	-	-	400,000
Monterey (Planned)	MRY	-	-	-	-	180,524	541,000	721,524
East Garrison I (Entitled)	MCO	-	14,000	-	10,000	-	10,000	34,000
Imjin Office Park (Entitled)	MAR	28,000	-	-	-	-	-	-
Dunes (Entitled)	MAR	190,000	50,000	50,000	100,000	100,000	270,000	570,000
Cypress Knolls (Planned)	MAR	-	-	16,000	-	-	-	16,000
Interim Inc. (Entitled)	MAR	14,000	-	-	-	-	-	-
Marina (Planned)	MAR	-	29,500	29,500	29,500	29,500	59,000	177,000
TAMC (Planned)	MAR	-	-	-	20,000	20,000	-	40,000
Seaside (Planned)	SEA	14,900	-	-	102,000	-	100,000	202,000
UC (Planned)	UC	-	-	60,000	80,000	180,000	360,000	680,000
<u>Industrial</u>								
Monterey (Planned)	MRY	-	-	-	-	72,000	144,275	216,275
Marina CY (Entitled)	MAR	12,300	-	-	-	-	-	-
Dunes (Entitled)	MAR	-	-	30,000	30,000	54,000	-	114,000
Cypress Knolls (Planned)	MAR	-	-	6,000	-	-	-	6,000
Marina Airport (Entitled)	MAR	250,000	-	-	-	-	-	-
TAMC (Planned)	MAR	-	-	-	17,500	17,500	-	35,000
Seaside (Planned)	SEA	-	-	-	-	125,320	-	125,320
UC (Planned)	UC	38,000	-	20,000	20,000	20,000	40,000	100,000
<u>Retail</u>								
Del Rey Oaks (Planned)	DRO	-	5,000	-	-	-	-	5,000
East Garrison I (Entitled)	MCO	-	20,000	20,000	-	-	-	40,000
Cypress Knolls (Planned)	MAR	-	-	-	-	-	-	-
Dunes (Entitled)	MAR	418,000	40,000	30,000	30,000	24,000	-	124,000
TAMC (Planned)	MAR	-	-	-	37,500	37,500	-	75,000
Seaside Resort (Entitled)	SEA	-	-	16,300	-	-	-	16,300
Seaside (Planned)	SEA	-	-	-	300,000	691,500	675,000	1,666,500
UC (Planned)	UC	-	-	-	62,500	82,500	165,000	310,000
		965,200	158,500	677,800	839,000	1,634,344	2,364,275	5,673,919
HOTEL ROOMS								
<u>Hotel (rooms)</u>								
Del Rey Oaks (Planned)	DRO	-	-	-	-	550	-	550
Dunes (Entitled)	MAR	108	-	-	-	-	-	-
Dunes (Entitled)	MAR	-	-	-	400	-	-	400
Seaside Resort (Entitled)	SEA	-	-	40	28	262	-	330
Seaside Resort TS (Entitled)	SEA	-	-	-	-	-	170	170
Seaside (Planned)	SEA	-	-	-	250	200	210	660
UC (Planned)	UC	-	-	-	-	-	-	-
		108	-	40	678	1,012	380	2,110

Table 8. Development Forecasts Fiscal Year 2016/17 through Post-FORA: by Acre
(Acre = Development forecast sq. ft. / FAR / 43,560)

Estimated Acreage

Land Use Location & Description	Juris- diction	FAR	FORECAST YEAR				Post FORA	Forecast Total
			2016-17	2017-18	2018-19	2019-20		
NON-RESIDENTIAL: Acre =		43,560						
Office		0.35						
Del Rey Oaks (Planned)	DRO	0.35	-	26.24	-	-	-	26.24
Monterey (Planned)	MRY	0.35	-	-	-	11.84	35.48	47.33
East Garrison I (Entitled)	MCO	0.35	0.92	-	0.66	-	0.66	2.23
Imjin Office Park (Entitled)	MAR	0.35	-	-	-	-	-	-
Dunes (Entitled)	MAR	0.35	3.28	3.28	6.56	6.56	17.71	37.39
Cypress Knolls (Planned)	MAR	0.35	-	1.05	-	-	-	1.05
Interim Inc. (Entitled)	MAR	0.35	-	-	-	-	-	-
Marina (Planned)	MAR	0.35	1.93	1.93	1.93	1.93	3.87	11.61
TAMC (Planned)	MAR	0.35	-	-	1.31	1.31	-	2.62
Seaside (Planned)	SEA	0.35	-	-	6.69	-	6.56	13.25
UC (Planned)	UC	0.35	-	3.94	5.25	11.81	23.61	44.60
Industrial		0.40						
Monterey (Planned)	MRY	0.40	-	-	-	4.13	8.28	12.41
Marina CY (Entitled)	MAR	0.40	-	-	-	-	-	-
Dunes (Entitled)	MAR	0.40	-	1.72	1.72	3.10	-	6.54
Cypress Knolls (Planned)	MAR	0.40	-	0.34	-	-	-	0.34
Marina Airport (Entitled)	MAR	0.40	-	-	-	-	-	-
TAMC (Planned)	MAR	0.40	-	-	1.00	1.00	-	2.01
Seaside (Planned)	SEA	0.40	-	-	-	7.19	-	7.19
UC (Planned)	UC	0.40	-	1.15	1.15	1.15	2.30	5.74
Retail		0.25						
Del Rey Oaks (Planned)	DRO	0.25	0.46	-	-	-	-	0.46
East Garrison I (Entitled)	MCO	0.25	1.84	1.84	-	-	-	3.67
Cypress Knolls (Planned)	MAR	0.25	-	-	-	-	-	-
Dunes (Entitled)	MAR	0.25	3.67	2.75	2.75	2.20	-	11.39
TAMC (Planned)	MAR	0.25	-	-	3.44	3.44	-	6.89
Seaside Resort (Entitled)	SEA	0.25	-	1.50	-	-	-	1.50
Seaside (Planned)	SEA	0.25	-	-	27.55	63.50	61.98	153.03
UC (Planned)	UC	0.25	-	-	5.74	7.58	15.15	28.47
TOTAL ACRES: NON-RESIDENTIAL			12.10	45.74	65.76	126.75	175.60	425.95
HOTEL ROOMS								
Hotel (rooms)		38						
Del Rey Oaks (Planned)	DRO	38	-	-	-	14.47	-	14.47
Dunes Marriott (Entitled)	MAR	38	-	-	-	-	-	-
Dunes Hotel TBD (Entitled)	MAR	38	-	-	10.53	-	-	10.53
Seaside Resort (Entitled)	SEA	38	-	1.05	0.74	6.89	-	8.68
Seaside Resort Time Shares (Entitled)	SEA	38	-	-	-	-	4.47	4.47
Seaside (Planned)	SEA	38	-	-	6.58	5.26	5.53	17.37
UC (Planned)	UC	38	-	-	-	-	-	-
TOTAL ACRES: HOTEL			-	1.05	17.84	26.63	10.00	55.53
NEW RESIDENTIAL			**6,160 unit cap on new residential until 18,000 new jobs on Fort Ord per BRP 3.11.5.4 (b) 2) & 3.11.5.4 (b) 3)					
Marina								
Marina Heights (Entitled)	MAR	6	13	24	30	31	77	175
The Promontory 2 (Planned)	MAR	6	-	-	-	-	-	-
Dunes (Entitled)	MAR	6	5	15	15	15	113	163
TAMC (Planned)	MAR	6	-	-	17	17	-	33
Seaside								
UC (Planned)	UC	6	-	-	-	18	22	40
East Garrison I (Entitled)	MCO	6	27	23	20	17	105	192
Seaside Resort (Entitled)	SEA	6	0	0	1	1	18	20
Seaside (Planned)	SEA	6	-	3	20	17	127	166
Other								
Del Rey Oaks (Planned)	DRO	6	-	-	-	22	94	115
Other Residential (Planned)	Various	6.00	-	-	-	-	-	-
TOTAL ACRES: NEW RESIDENTIAL			45	65	102	137	555	904
EXISTING/REPLACEMENT RESIDENTIAL								
Preston Park (Entitled)	MAR	6	-	-	-	-	-	-
Cypress Knolls (Planned)	MAR	6	-	-	17	17	33	67
Abrams B (Entitled)	MAR	6	-	-	-	-	-	-
MOCO Housing Authority (Entitled)	MAR	6	-	-	-	-	-	-
Shelter Outreach Plus (Entitled)	MAR	6	-	-	-	-	-	-
VTC (Entitled)	MAR	6	-	-	-	-	-	-
Interim Inc (Entitled)	MAR	6	-	-	-	-	-	-
Sunbay (Entitled)	SEA	6	-	-	-	-	-	-
Bayview (Entitled)	SEA	6	-	-	-	-	-	-
Seaside Highlands (Entitled)	SEA	6	-	-	-	-	-	-
TOTAL ACRES: EXISTING/REPLACE			-	-	17	17	33	67
ACRES: CSUMB RESIDENTIAL			CSU	6	-	-	25	57
Sources: FORA, Annette Yee and Company, Economic and Planning Systems; MuniFinancial.								
TOTAL ACREAGE			56.77	111.96	202.60	332.05	830.60	1,533.98

Notes: Unless specific estimates are available for a project, the acreage shown in this table is based on building sq. ft. estimates and a Floor-Area Ratio (FAR) of 0.35 for office, 0.4 for industrial, and 0.25 for retail. Hotel Density assumes 31.5 rooms per acre, residential units assume 6 Units/Acre (as per BRP).

Table 9. Estimated Property Taxes Fiscal Year 2016/17 through Post-FORA

Land Use Location & Description	Per Acre Assumption	2016-17	2017-18	2018-19	2019-20	Post-FORA	Built To Date	Forecast + Built
NON-RESIDENTIAL		\$ 36,490,500	\$ 140,828,000	\$ 189,139,500	\$ 350,569,612	\$ 518,047,500	\$ 189,209,700	\$ 1,424,284,812
HOTEL ROOMS	\$ 141,000	\$ -	\$ 5,640,000	\$ 95,598,000	\$ 142,692,000	\$ 53,580,000	\$ 15,228,000	\$ 312,738,000
NEW RESIDENTIAL	\$ 141,000	\$ 37,788,000	\$ 55,131,000	\$ 86,574,000	\$ 100,392,000	\$ 450,918,000	\$ 103,917,000	\$ 868,560,000
EXISTING/REPLACE RES	\$ 141,000	\$ -	\$ -	\$ 14,100,000	\$ 14,100,000	\$ 28,200,000	\$ 149,601,000	\$ 206,001,000
CSUMB RESIDENTIAL		\$ -	\$ -	\$ -	\$ 21,150,000	\$ 48,222,000	\$ -	\$ 21,150,342

TOTAL		\$ 74,278,500	\$ 201,599,000	\$ 385,411,500	\$ 628,903,612	\$ 1,050,745,842	\$ 457,955,700	\$ 2,832,734,154
--------------	--	----------------------	-----------------------	-----------------------	-----------------------	-------------------------	-----------------------	-------------------------

FORA PROJECTION 16/17						
2% Max Property Value Escalation - Proposition 13	\$ 75,764,070	\$ 209,743,600	\$ 409,001,767	\$ 680,745,495	\$ 1,050,745,842	
Discount Cash Flow - Bond Buyers Index	\$ 72,761,913	\$ 193,450,718	\$ 362,282,727	\$ 579,092,626	\$ 1,050,745,842	
Net Cash Inflow (CUM) including previous years	\$ 909,519,323	\$ 1,102,970,041	\$ 1,465,252,768	\$ 2,044,345,394	\$ 4,030,822,951	
Net Present Value	\$ 909,519,323	\$ 1,102,970,041	\$ 1,498,819,065	\$ 2,139,082,764	\$ 4,514,160,677	
Property Tax assessment 1%	\$ 9,095,193	\$ 11,029,700	\$ 14,988,191	\$ 21,390,828	\$ 45,141,607	
Less housing set aside (20%)	\$ (1,819,039)	\$ (2,205,940)	\$ (2,997,638)	\$ (4,278,166)	\$ (9,028,321)	
Property Tax net of housing set aside	\$ 7,276,155	\$ 8,823,760	\$ 11,990,553	\$ 17,112,662	\$ 36,113,285	
Tier 1	\$ (982,602)	\$ (1,191,598)	\$ (1,619,255)	\$ (2,310,966)	\$ (4,876,890)	
Tier 2	\$ (825,386)	\$ (1,000,942)	\$ (1,360,174)	\$ (1,941,211)	\$ (4,096,586)	
Tier 3	\$ -	\$ -	\$ -	\$ -	\$ -	
Annual net property tax	\$ 5,468,166	\$ 6,631,221	\$ 9,011,124	\$ 12,860,486	\$ 27,139,809	
FORA Property Tax (35%)	\$ 1,913,858	\$ 2,320,927	\$ 3,153,894	\$ 4,501,170	\$ 9,498,933	
Forecast Estimate - 90% of Property Tax	\$ 1,722,472	\$ 2,088,835	\$ 2,838,504	\$ 4,051,053	\$ 8,549,040	
Operating Costs	\$ (1,300,000)	\$ (1,300,000)	\$ (1,300,000)	\$ (1,300,000)	\$ (1,300,000)	
Property Tax Transfer to CIP	\$ 422,472	\$ 788,835	\$ 1,538,504	\$ 2,751,053	\$ 7,249,040	

APPENDICES

A. PROTOCOL FOR REVIEW/REPROGRAMMING OF FORA CIP	A-1
B. BUILDING REMOVAL PROGRAM TO DATE	A-6
C. JURISDICTION-INCURRED CARETAKER COSTS REIMBURSEMENT POLICY	A-11
D. MARINA COAST WATER DISTRICT 5-YEAR CIP	A-14

Appendix A: Protocol for Review/Reprogramming of FORA CIP (Revised June 10, 2016)

1) Conduct quarterly meetings with the CIP Committee and/or Administrative Committee. Staff representatives from the California Department of Transportation (CALTRANS) and AMBAG may be requested to participate and provide input.

These meetings will be the forum to review developments as they are being planned to assure accurate prioritization and timing of CIP projects to best serve the development as it is projected. FORA CIP projects will be constructed during the program, but market and budgetary realities require that projects must “queue” to current year priority status. In order to prioritize projects, the following criteria were established:

- Project is necessary to mitigate reuse plan
- Project environmental/design is complete
- Project can be completed prior to FORA’s sunset
- Project uses FORA CIP funding as matching funds to leverage grant dollars
- Project can be coordinated with projects of other agencies (utilities, water, TAMC, PG&E, CALTRANS, MST, etc.)
- Project furthers inter-jurisdictional equity
- Project supports jurisdictional “flagship” project
- Project nexus to jurisdictional development programs

The FORA Board has set the top two Transportation Priorities as Eastside Parkway and South Boundary Road. The CIP/Administrative Committee determines the remaining projects priorities. The committee is responsible for recommending project priorities and balancing projected project costs against projected revenues.

Evidence Based Prioritization

Staff asks Administrative Committee members to weight the eight criteria (see previous list of eight bullets) through anonymous polling to reach consensus. The weighting resulting in assigning a higher multiplication factor to some criteria and a lower factor to other criteria. Following the weighting process, staff takes a poll of the committee members asking that they score each project by the eight criteria. Staff multiplies the project scores by the assigned weights, resulting in a score identifying the Transportation/Transit priorities from highest to lowest. Staff then presents the results to the Administrative Committee for further discussion.

To further clarify the criteria, the following definitions were agreed upon by the committee during the 2015/16 Fiscal Year. For each criterion, a measurable scale (1-5) has been created by which to measure the criterion’s impact.

a) Project is necessary to mitigate reuse plan

All projects on the list are necessary to mitigate the reuse plan. In order to prioritize the transportation projects, it is necessary to determine the amount of mitigation a proposed roadway could have on existing roadways. Therefore, this criteria is defined by the Level-Of-Service (LOS) ranking, determined by the North American Highway Capacity Manual which measures the amount of time a vehicle stays in one spot on a road from the shortest amount of time to the longest (A-F). This is a function of travel speed, congestion, and the amount of cars on the road. This criterion asks the CIP committee to provide its best informed estimate on the impact of each project in terms of LOS.

Use this scale to estimate the mitigation effect on an impacted roadway(s) in terms of Highway Capacity Manual's Level of Service (LOS):

1. Decreases the LOS on existing roadways (increases the travel time, congestion etc. . .)

2. LOS stays the same on existing roadways
3. LOS is increased one level up (i.e from C to B)
4. LOS is increased two levels up (i.e. C to A)
5. LOS is increased two levels up from a D, E, or F (i.e. from D to B)

b) Project environmental/design is complete

The concept behind this criterion is to determine how ready a project is for implementation and assesses how close a project is to breaking ground in relation to key project milestones.

Use this scale to rate a project by the Key milestones:

1. California Environmental Quality Act (CEQA) Review Initiated
2. CEQA Review Complete
3. 90% Design Complete
4. Design Approval Complete
5. Notice to Proceed has been issued

c) Project can be completed prior to FORA's 2020 transition

Use this criterion to assess the proposed project's likeliness to complete the project on-time and on-budget prior to 2020.

Use this scale to rate the likeliness of completion:

1. Not Probable by 2020
2. Not Likely to be on-time/budget by 2020
3. Likely to be completed by 2020
4. Likely to be completed before 2019
5. Likely to be completed before 2018

d) Uses FORA CIP funding as matching funds to leverage grant dollars

Use this criterion to assess the likelihood a project is to gain matching funds or grants in the next three years if FORA assigns resources to the project.

Use this scale to rate the likeliness of obtaining matching/additional funding:

1. Not Possible in 3 years (July 2019)
2. Not Likely to gain funding in 3 years (July 2019)
3. Likely to gain funding in 3 years (July 2019)
4. Likely to gain funding in 2 years (July 2018)
5. Likely to gain funding in 18 months (January 2018)

e) Project can be coordinated with other agencies projects

The concept behind this criterion is to facilitate roadway connectivity and to determine if economies of scale (cost advantages obtained due to increased scope) are possible through planning/implementing projects in succession or in parallel with another infrastructure project. Use estimated time between the completion of one project and notice to proceed of adjacent projects to determine the level of coordination.

Use this scale to determine the level of coordination with other agencies:

1. Cannot be run in succession/parallel with another project
2. Can be run in succession/parallel with another project
3. Can be run in succession/parallel with another project AND creates an economy of scale (cost advantages obtained due to increased scope)
4. Can be run in succession/parallel with another project AND creates an economy of scale on both projects

5. Can be run in succession/parallel with another project AND creates an economy of scale on both projects AND saves time

f) Project furthers inter-jurisdictional equity

Inter-Jurisdictional equity refers to the concept that FORA complete roadway obligations while being fair to each of the land-use jurisdictions. For the purposes of this assessment, the geographical location of the project determines the owning jurisdiction even though a project in another jurisdiction might benefit. Use this criterion to assess if the resources assigned to this project would create an imbalance in the distribution of resources to the land-use jurisdictions:

1. Would create a major change in the balance favoring one jurisdiction
2. Would create a minor change in the balance favoring one jurisdiction
3. The estimated change would be a net gain
4. Would create a minor change restoring, or furthering, the balance
5. Would create a major change restoring, or furthering, the balance

g) Supports jurisdictions “flagship” project

A “flagship project” is a single project on the former Fort Ord lands which a jurisdiction gives priority regarding its resources.

- a. Marina = The Dunes on Monterey Bay
- b. Seaside = Seaside Resort
- c. Monterey County = East Garrison
- d. City of Monterey = Business Park
- e. Del Rey Oaks = 73 Acres

Use this criterion to assess the amount of support a CIP project will give to Flagship projects:

1. Project provides infrastructure within ¼ mile of a Flagship project
2. Project provides infrastructure to the project area
3. Flagship project is dependent upon project being completed
4. Project enables Flagship projects to establish revenue to jurisdiction
5. Project is able to provide 2 or more benefits listed above.

h) Project nexus to jurisdictional development programs:

For prioritization, bias is set on links that can equitably feed multiple development programs. The concept of development programs are projects which increase Economic Development and job creation first, then increase resource support such as housing and shopping. Realistically, housing may precede jobs; however, FORA seeks to prioritize Economic Development.

Use this criterion to assess the impact of a roadway on developments:

1. The project will not create a roadway link for the development
2. Creates a roadway link to a future development, but there is currently no ongoing development project
3. Creates a roadway link and implementation coincides with future development projects
4. The project creates a roadway link and supports ongoing development projects
5. The project creates a roadway link and supports ongoing developments in two or more jurisdictions

2) Under this Protocol, The Administrative Committee is to provide a mid-year and/or yearly report to the Board (at mid-year budget and/or annual budget meetings) that will include any recommendations for CIP modifications from the joint committee and staff.

3) Anticipate FORA Board annual approval of a CIP program that comprehensively accounts for all obligatory projects under the BRP.

These base-wide project obligations include transportation/transit, water augmentation, storm drainage, habitat management, building removal and firefighting enhancement.

This protocol describes the method by which the base-wide development fee (Fee) and Fort Ord Reuse Authority Community Facilities District Special Tax (Tax) are annually indexed. The amount of the Fee is identical to the CFD Tax. Landowners pay either the Fee or the Tax, never both, depending on whether the land is within the Community Facilities District. For indexing purposes, FORA has always used the change in costs from January 1 to December 31. The reason for that choice is that the Fee and CFD Tax must be in place on July 1, and this provides the time necessary to prepare projections, vet, and publish the document. The second idea concerns measurement of construction costs. Construction costs may be measured by either the San Francisco Metropolitan index, or the "20-City Average." FORA has always used the 20-City Average index because it is generally more in line with the actual experience in suburban areas like the Monterey Peninsula. It should be noted that San Francisco is one of the cities used for the 20-City Average.

The Fee was established in February 1999 by Resolution 99-1. Section 1 of that Resolution states that "(FORA) shall levy a development fee in the amounts listed for each type of development in the... fee schedule until such time as ... the schedule is amended by (the) board." The CFD Tax was established in February 2002 by Resolution 02-1. Section IV of that CFD Resolution, beginning on page B-4, describes "Maximum Special Tax Rates" and "Increase in the Maximum Special Tax Rates." That section requires the Tax to be established on the basis of costs during the "...immediately preceding Fiscal Year..." The Tax is adjusted annually on the basis of "...Construction Cost Index applicable to the area in which the District is located..."¹

The CFD resolution requires the adjusted Tax rate to become effective on July 1. It would be difficult to meet that deadline if the benchmark were set for a date later than January. FORA staff uses the adjusted Tax rate to reprogram the CIP. FORA staff requests development forecast projections from the land use jurisdictions in January. The forecasts allow staff to balance CIP revenues and expenditures, typically complete by April, for Administrative Committee review. The FORA Board typically adopts the CIP, and consequently updates the "Notice of Special Tax Lien" (Notice) in June.

Additionally, the Notice calls for "... (2) percentage change since the immediately preceding fiscal year in the (ENRs CCI) applicable to the area in which the District is located..." To assure adequate time for staff analysis, public debate and FORA Board review of modifications to the Special Tax Levy, it is prudent to begin in January. In addition, the FORA Board adopted a formulaic approach to monitoring the developer fee program which is typically conducted in the spring – as will be the case in 2016. If the anticipated Fee adjustment is unknown at the time of the formulaic calculation then the level of certainty about the appropriateness of the Fee is impaired. This factor supports that the Fee should be established in January.

To determine the percentage change, the CCI (Construction Cost Index) of the immediately prior January is subtracted from the CCI in January of the current year to define the arithmetic value of the change (increase or decrease). This dollar amount is divided by the CCI of the immediately prior January. The result is then multiplied by 100 to derive a percentage of change (increase or decrease) during the intervening year. The product of that calculation is the rate presented to the FORA Board.

Since the start of the CIP program in FY 2001/02, FORA has employed the CCI for the "20-City Average" as presented in the ENR rather than the San Francisco average. The current 20-City Average places the CCI

in the range of \$9K to \$10K while the San Francisco CCI is in the \$10K to \$11K range. The difference in the two relates to factors which tend to drive costs up in an urban environment as opposed to the suburban environment of Fort Ord. These factors would include items such as time required for transportation of materials and equipment plus the Minimum Wage Rates in San Francisco as compared to those in Monterey County. Over a short term (1 year) one index may yield a lower percentage increase than the other index for the same time period.

Appendix B: Building Removal Program to Date

1996 FORA Pilot Deconstruction Project (PDP)

In 1996, FORA deconstructed five wooden buildings of different types, relocated three wooden buildings, and remodeled three buildings. The potential for job creation and economic recovery through opportunities in deconstruction, building reuse, and recycling was researched through this effort.

Lessons learned from the FORA PDP project:

- A structure's type, size, previous use, end-use, owner, and location are important when determining the relevance of lead and asbestos regulations.
- Profiling the building stock by type aids in developing salvage and building removal projections.
- Specific market needs for reusable and recycled products drive the effectiveness of deconstruction.
- Knowing the history of buildings is important because:
- Reusing materials is complicated by the presence of Lead Based Paint (LBP), which was originally thinned with leaded gasoline and resulted in the hazardous materials penetrating further into the substrate material.
- Over time, each building develops a unique use, maintenance and repair history, which can complicate hazardous material abatement survey efforts.
- Additional field surveys were needed to augment existing U.S. Army environmental information. The PDP surveys found approximately 30 percent more Asbestos Containing Material (ACM) than identified by the Army.
- Hazardous material abatement accounts for almost 50 percent of building deconstruction costs on the former Fort Ord.
- A robust systematic program is needed for evaluating unknown hazardous materials early in building reuse, recycling and cleanup planning.

1997 FORA Survey for Hidden Asbestos

In 1997, FORA commissioned surveys of invasive asbestos on a random sample of buildings on Fort Ord to identify hidden ACM. Before closure, the U.S. Army performed asbestos surveys on all exposed surfaces in every building on Fort Ord for their operation and maintenance needs. The Army surveys were not invasive and therefore did not identify asbestos sources, which could be spread to the atmosphere during building deconstruction or renovation. In addition to commissioning the survey for hidden asbestos, FORA catalogued the ACM found during the removal of seventy Fort Ord buildings.

The survey for hidden asbestos showed:

- The Army asbestos surveys were conducted on accessible surfaces only which is not acceptable to the Monterey Bay Unified Air Pollution Control District (MBUAPCD).
- Approximately 30 percent more ACM lies hidden than was identified in the Army surveys.
- The number one cause for slow-downs and change orders during building deconstruction is hidden asbestos (see FORA website).
- A comprehensive asbestos-containing materials survey must identify all ACM.
- All ACM must be remediated before building deconstruction begins. It is important to note that this includes non-friable ACM that has a high probability of becoming or has become friable - crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of deconstruction.

- All ACM must be disposed of legally.

1998 FORA Hierarchy of Building Reuse

In response to the PDP project, FORA developed a Hierarchy of Building Reuse (HBR) protocol to determine the highest and best method to capture and save both the embodied energy and materials that exist in the buildings on Fort Ord. The HBR is a project-planning tool. It provides direction, helps contractors achieve higher levels of sustainability, and facilitates dialogue with developers in order to promote salvage and reuse of materials in new construction projects. The HBR protocol has only been used on WWII era wooden buildings. The HBR protocol prioritizes activities in the following order:

1. Reuse of buildings in place
2. Relocation of buildings
3. Deconstruction and salvage of building materials
4. Deconstruction with aggressive recycling of building materials

1998 FORA Request for Qualifications (RFQ) for Building Deconstruction Contractors

FORA went through an RFQ process in an attempt to pre-qualify contractors throughout the U.S. to meet the Fort Ord communities' needs for wooden building deconstruction (removal), hazardous material abatement, salvage and recycling, and identifying cost savings. The RFQ also included a commitment for hiring trainees in deconstruction practices.

1999 FORA Lead-Based Paint Remediation Demonstration Project

FORA initiated the LBP Remediation Demonstration Program in 1999 to determine the extent of LBP contamination in Fort Ord buildings and soil, field test possible solutions, and document the findings. The first step in controlling LBP contamination is to accurately identify the amount and characteristics of the LBP. This ensures that LBP is properly addressed during removal and reuse activities, in ways that protect the public, environment, and workers.

The FORA Compound and Water City Roller Hockey Rink were used as living laboratories to test the application of LBP encapsulating products. Local painting contractors were trained to apply various encapsulating products and the ease, effectiveness and expected product life was evaluated. This information was shared with the jurisdictions, other base closure communities and the regulatory agencies so that they could use the lessons learned if reusing portions of their WWII building stock.

2001 FORA Waste Characterization Protocol

A Basewide Waste Characterization Protocol was developed for building debris generated during the deconstruction of approximately 1,200 WWII era wooden structures. By profiling standing buildings utilizing the protocol, contractors are able to make more informed waste management and diversion decisions resulting in savings, greater implementation of sustainable practices, and more environmentally sensitive solutions.

The following assumptions further assist decision-making for a large-scale source-based recovery program:

- Individual buildings have been uniquely modified over time within each building type.

- The basewide characterization protocol was verified by comparing it with the actual waste generated during the 12th street building removal.

2002 FORA Building Removal for 12th Street/Imjin Parkway

FORA, in 2002, remediated and removed 25 WWII era buildings as the preparatory work for the realignment of 12th Street, later to be called Imjin Parkway.

2003 FORA Building Removal for 2nd Avenue Widening

FORA, in 2003, remediated and removed 16 WWII era buildings and also the remains of a theater that had burned and been buried in place by the Army years before the base was scheduled for closure.

2004 FORA/CSUMB oversight Private Material Recovery Facility Project

In 2004, FORA worked with CSUMB to oversee a private-sector pilot Material Recovery Facility (MRF), with the goal of salvaging and reusing LBP covered wood from 14 WWII era buildings. FORA collaborated in the development of this project by sharing its research on building deconstruction and LBP abatement. CSUMB and their private-sector partner hoped to create value added products such as wood flooring that could be sold to offset deconstruction costs. Unfortunately the MRF operator and equipment proved to be unreliable and the LBP could not be fully removed from the wood or was cost prohibitive.

2005 The Dunes WWII Building Removal

FORA, in partnership with Marina and Marina Community Partners, removed 406 WWII era buildings. Ninety percent of the non-hazardous materials from these building were recycled. FORA volunteered to be the Hazardous Waste Generator instead of the City of Marina and worked with the California Department of Toxic Substance Control, the State Board of Equalization and the hazardous waste disposal facility so that as stipulated by state law, State Hazardous Waste Generator taxes could be avoided.

2006 - 2007 East Garrison Building Removal

FORA, in 2006, provided the East Garrison developer with credits/funds to remove 31select WWII and after buildings from East Garrison.

2007 Imjin Office Park Building Removal

FORA, in partnership with Marina and Marina Community Partners, removed 13 WWII era buildings to prepare the Imjin Office Park site.

2003 – 2013 Continuing FORA support for CSUMB Building Removal Projects

Over the years, FORA has shared knowledge gained through various deconstruction projects with CSUMB and others, and CSUMB has reciprocated by sharing their lessons learned. Over the years FORA has supported CSUMB with shared contacts, information, review and guidance as requested for the following CSUMB building removal efforts:

- 2003 removal of 22 campus buildings
- 2006 removal of 87 campus buildings

- 2007 removal of 9 campus buildings
- 2009 removal of 8 campus buildings
- 2010 removal of 33 campus buildings
- 2011 removal of 78 campus buildings
- 2013 removal of 24 campus buildings

2011 FORA Removal of Building 4470 in Seaside

In 2011, FORA had a concrete building in Seaside removed. Building 4470 was one of the first Korean War era concrete buildings removed on the former Fort Ord. Removal revealed the presence of hidden asbestos materials. The knowledge gained during this project will be helpful in determining removal costs of remaining Korean War era concrete buildings in Seaside and on CSUMB.

2011 FORA/CSUMB Korean War Concrete Building Removal Grant Application

In 2011, FORA approached the U.S. Office of Economic Adjustment (OEA) about the possibility of applying for grant funds to assist in the removal of Korean War era concrete buildings located on CSUMB Campus and Seaside Surplus II property. The OEA was receptive to the idea and encouraged an application, noting that the amount available would likely be less than \$500,000. Since a large portion of the Korean War era concrete buildings are located on CSUMB property, FORA asked CSUMB to co-apply for the grant funds, which would be used to accurately identify hazardous materials in the buildings both on CSUMB and Seaside property, and to develop a Business Plan that would harness market forces to reduce building removal costs and drive economically sound building removal decisions. After multiple applications this grant application was not funded. In 2015 FORA determined to work directly with Seaside to address the Seaside Surplus II Korean Era cement buildings without OEA assistance.

2013 CSUMB Korean War Concrete Building Removal

In late 2013 the California State University system announced \$30M in funding awarded for CSUMB campus building removal over a six months to two year period. As CSUMB implemented their building removal program, FORA and the City of Seaside worked closely with CSUMB to incorporate lessons learned, costing and building removal techniques into the Deconstruction/Building Removal Business Plan.

2015 FORA/Seaside Surplus II Korean War Concrete Building Removal

Surplus II is the northeast gateway to the City of Seaside and CSUMB with Gigling Road on its southern boundary; a major artery into and out of Seaside, and difficult for police to patrol and abuts the CSUMB campus. The Seaside Surplus II area also abuts occupied military homes and the Department of Defense building on Gigling Road. Portions of the Seaside Surplus II area surround existing buildings reused in place, including the Presidio of Monterey Police station, Monterey College of Law, Monterey Peninsula College Police Officer Training Academy and National Guard buildings. The dilapidated buildings have been vandalized, copper wiring and piping has been stolen, and windows and doors have been broken. The multi-story buildings do not have elevators, are not ADA compliant, and none meet earthquake safety codes.

In late 2015 FORA staff met with Seaside to coordinate the application of FORA Building removal obligation funds to the Surplus II, knowing that FORA's funds would not be enough to remove all the hazardous materials and buildings from the site. Seaside and FORA staff determined that the first step to knowing

what was involved in removing buildings from Surplus II was to survey the buildings for Hazardous materials and commission a hazardous materials removal estimate. In early 2016 FORA releases an Request for Proposals and competitively selected an Industrial Hygienist firm to provide hazardous material surveys in Surplus II. The surveys and a hazardous materials removal estimate is estimated to be complete in mid-2016.

2016 Marina Stockade Removal 2016

In 2016 FORA staff met with the City of Marina to begin the coordination to have access to the Marina Stockade site which currently host Los Animas concrete production and operations under a lease from the City of Marina. Marina is taking the lead in negotiating with Los Animas for access to the building for removal. FORA will commission the Stockade hazardous material surveys while access is being coordinated. Once the surveys are complete and access is achieved, FORA will begin building removal.

Appendix C: Jurisdiction-Incurred Caretaker Costs Reimbursement Policy

Caretaker costs were first described in the Fiscal Year (FY) 01/02 FORA Capital Improvement Program (CIP) as: “Costs associated with potential delays in redevelopment and represent interim capital costs associated with property maintenance prior to transfer for development.”

FORA Assessment District Counsel opined that FORA Community Facilities District Special Tax payments cannot fund caretaker costs. For this reason, caretaker costs would be funded through FORA’s 50% share of land sale proceeds on former Fort Ord, any reimbursements to those fund balances, or other designated resources.

As a result of the FY 11/12 and FY 12/13 Phase II CIP Review analysis prepared by Economic & Planning Systems, Inc., FORA agreed to reimburse its five member jurisdictions (County of Monterey and Cities of Seaside, Marina, Del Rey Oaks, and Monterey) for these expenses based on past experience, provided sufficient land sale revenue is available and jurisdictions are able to demonstrate property management/caretaker costs. Based on previous agreements between the U.S Army and the City of Marina, City of Seaside and County of Monterey, *examples* of caretaker costs include the following: tree trimming, mowing, pavement patching, centerline/stenciling, barricades, traffic signs, catch basin/storm drain maintenance, vacant buildings, vegetation control/spraying, paving/slurry seal, and administration (10% of total costs).

For clarification purposes, FY 15/16 caretaker costs funding is limited to the amount listed in the FORA FY 15/16 CIP (Table 5 – Land Sales Revenue), which is \$150,000. Future FORA annual CIP’s will establish caretaker costs reimbursement funding as described in the next paragraph.

For implementation, this policy clarifies that FORA funding for caretaker costs shall be determined by allocating a maximum of \$500,000 in the prior fiscal year’s property taxes collected and designated to the FORA CIP. For example, if \$525,000 in property taxes is collected and designated to the FORA CIP during FY 15/16, then FORA will program a maximum of \$500,000 for the five member jurisdictions’ eligible caretaker costs. Each subsequent year, the maximum funding for caretaker costs may be decreased assuming that, as land transfers from jurisdictions to third-party developers, jurisdictions’ caretaker costs will decrease. If FORA does not collect and designate to the CIP sufficient property taxes in a given fiscal year to fund the maximum amount of caretaker costs allowed that fiscal year, the actual amount of property taxes collected and designated to the CIP during the fiscal year shall be used to determine the amount of caretaker costs funding. FORA shall set caretaker costs funding through the approved FORA CIP.

For a member jurisdiction to be eligible for caretaker costs reimbursement:

- 1) Costs must be described using the Caretaker Costs Worksheet (**Exhibit A**) and submitted to FORA by January 31 (1st deadline) and March 31 (2nd deadline) of each year;
- 2) FORA staff must provide a written response within 30 days denying or authorizing, in part or in whole, the Caretaker Costs Worksheet in advance of the expenditure. FORA may request additional information from the member jurisdiction within 15 days of receiving the Caretaker Costs Worksheet. FORA shall provide reasons for caretaker costs reimbursement denial in its written response;

- 3) Eligible costs must be within the total amount approved in the current CIP, which shall be divided into five equal amounts, one for each of the five member jurisdictions. For example, if FORA is able to allocate \$100,000 in caretaker costs in a fiscal year, each jurisdiction shall have the ability to request up to \$20,000 in caretaker cost reimbursements. If a member jurisdiction does not submit a Caretaker Costs Worksheet to FORA by January 31 of each year, it forfeits its caretaker costs allocation for the fiscal year. Such unallocated dollars shall be available through March 31 (2nd deadline) (see #1 above) to the jurisdictions who submitted Caretaker Costs Worksheets to FORA by January 31; and
- 4) FORA staff must verify completion of caretaker costs work items through site visits prior to work initiation and after work completion.

FORA shall establish an emergency set aside of up to \$75,000 in the FY 16/17 CIP budget for urgent and unforeseen caretaker costs. The process for requesting these funds shall be the same as described above except there will not be a deadline for submitting the request.

**FORT ORD REUSE AUTHORITY CARETAKER COST WORKSHEET**

Date: _____

Jurisdiction: _____

Point of Contact: _____

Contact number/email: _____

Please answer the following questions and submit to the Fort Ord Reuse Authority for a determination of eligibility for caretaker cost reimbursement:

1. Is the property where the Caretaker Costs are planned owned by the jurisdiction?
 - ☐ Yes
 - ☐ No
2. What is/are the Army Corps of Engineers parcel number(s)? _____
3. Check all Caretaker Cost work item categories that apply to the current request:
 - ☐ Tree trimming
 - ☐ Mowing
 - ☐ Pavement patching
 - ☐ Centerline/stenciling
 - ☐ Barricades
 - ☐ Traffic signs
 - ☐ Catch basins/storm drain maintenance
 - ☐ Barriers to vacant buildings
 - ☐ Vegetation control/spraying
 - ☐ Paving/slurry seal
 - ☐ Administration (up to 10% of total costs)
 - ☐ Other: _____
4. Provide a specific description of the proposed Caretaker Cost work:

5. Provide a description of potential benefit from completion of Caretaker work items (such as improved public health, public safety, reduced fire risk, etc.):

6. Provide a detailed budget of proposed Caretaker Costs with estimated costs (if caretaker work is approved for reimbursement, FORA staff will use this budget to verify work completion and issue reimbursements):

Marina Coast Water District DRAFT Five-Year CIP										
CIP No.	PROJECT DESCRIPTION	FY 2015-16 Prior Year	FY 2016-17 Current Year	FY 2017-18 Proposed	FY 2018-19 Proposed	FY 2019-20 Proposed	FY 2020-21 Proposed	OUT YEARS	TOTAL	CATEGORY
OW-0000	Ord Water									
OW-0223	Well 30 Pump Replacement	\$105,000	\$0	\$0	\$0	\$0	\$0	\$0	\$105,000	E
OW-0206	Inter-Garrison Road Pipeline Up-Sizing	\$167,485	\$536,639	\$0	\$0	\$0	\$0	\$0	\$704,124	E
OW-0128	Lightfighter B" Zone Pipeline Extension "	\$32,000	\$335,800	\$0	\$0	\$0	\$0	\$0	\$367,800	M
OW-0201	Gigling Transmission from D Booster to JM Blvd	\$0	\$0	\$109,100	\$332,100	\$0	\$0	\$0	\$441,200	E
OW-0115	SCADA System Improvements -Phase II	\$240,697	\$296,935	\$0	\$0	\$0	\$0	\$0	\$537,632	E
OW-0211	Eastside Parkway (D-Zone pipeline)	\$0	\$0	\$415,632	\$2,498,444	\$0	\$0	\$0	\$2,914,076	M
OW-0193	Imjin Parkway Pipeline, Reservation Rd to Abrams Drive	\$0	\$0	\$52,000	\$460,800	\$0	\$0	\$0	\$512,800	E
OW-0119	Demolish D-zone Reservoir	\$0	\$0	\$17,900	\$160,700	\$0	\$0	\$0	\$178,600	E
OW-0230	Wellfield Main 2B -Well 31 to Well 34	\$0	\$0	\$164,400	\$167,700	\$518,300	\$0	\$0	\$850,400	E
OW-0129	Rehabilitate Well 31	\$0	\$0	\$1,707,438	\$0	\$0	\$0	\$0	\$1,707,438	E
OW-0127	CSUMB Pipeline Up-Sizing -Commercial Fireflow	\$0	\$0	\$38,311	\$117,231	\$0	\$0	\$0	\$155,542	E
OW-0203	7th Avenue and Gigling Rd	\$0	\$0	\$61,990	\$189,689	\$0	\$0	\$0	\$251,679	E
OW-0202	South Boundary Road Pipeline	\$0	\$0	\$205,000	\$1,289,000	\$0	\$0	\$0	\$1,494,000	M
OW-0122	Replace D & E Reservoir Off-Site Piping	\$0	\$0	\$0	\$0	\$0	\$1,016,400	\$0	\$1,016,400	E
OW-0167	2nd Ave extension to Gigling Rd	\$0	\$0	\$0	\$0	\$0	\$272,400	\$0	\$272,400	E
OW-0118	B4" Zone Tank @ East Garrison "	\$0	\$0	\$0	\$0	\$0	\$0	\$3,116,949	\$3,116,949	S
OW-0212	Reservoir D2" + D-BPS Up-Size "	\$0	\$0	\$0	\$0	\$0	\$0	\$3,997,826	\$3,997,826	E
OW-0208	Pipeline Up-Sizing -to Stockade	\$0	\$0	\$0	\$0	\$0	\$0	\$709,391	\$709,391	S
OW-0209	Pipeline Up-Sizing -between Dunes & MainGate	\$0	\$0	\$0	\$0	\$0	\$0	\$220,050	\$220,050	M
OW-0210	Sand Tank Demolition	\$0	\$0	\$0	\$0	\$0	\$0	\$542,078	\$542,078	E
OW-0204	2nd Ave Connection, Reindollar to Imjin Pkwy	\$0	\$0	\$0	\$0	\$0	\$0	\$1,214,489	\$1,214,489	E
OW-0214	Imjin Road, 8th St. to Imjin Pkwy	\$0	\$0	\$0	\$0	\$0	\$0	\$1,104,081	\$1,104,081	E
OW-0121	C2" to "B4" Pipeline and PRV Station "	\$0	\$0	\$0	\$0	\$0	\$0	\$1,409,403	\$1,409,403	S
OW-0171	Eucalyptus Rd Pipeline	\$0	\$0	\$0	\$0	\$0	\$0	\$2,351,264	\$2,351,264	M
OW-0213	Reservoir B4/B5 to East Garrison Pipeline	\$0	\$0	\$0	\$0	\$0	\$0	\$257,487	\$257,487	S
OW-0216	UCMBEST Pipeline	\$0	\$0	\$0	\$0	\$0	\$0	\$402,493	\$402,493	S
OW-0217	Reservation Road, Imjin to MBEST Drive	\$0	\$0	\$0	\$0	\$0	\$0	\$539,368	\$539,368	M
OW-0218	Golf Boulevard Transmission Line	\$0	\$0	\$0	\$0	\$0	\$0	\$1,104,081	\$1,104,081	M
OW-0219	B5" Zone Tank @ East Garrison "	\$0	\$0	\$0	\$0	\$0	\$0	\$3,116,949	\$3,116,949	S
OW-0231	Wellfield Main 3A -Intergarrison to ASP Bldg	\$0	\$0	\$0	\$0	\$0	\$0	\$3,541,126	\$3,541,126	E
OW-0232A	Install Well 36 -Retire Well 29	\$0	\$0	\$0	\$0	\$0	\$0	\$2,515,243	\$2,515,243	E
OW-0232B	Wellfield Main 1B -between Wells 36 and 35	\$0	\$0	\$0	\$0	\$0	\$0	\$3,169,802	\$3,169,802	E
OW-0233	Wellfield Main 1C (Parallel) Well 36 to ASP Bldg	\$0	\$0	\$0	\$0	\$0	\$0	\$3,736,274	\$3,736,274	M
OW-0234	B-BPS at ASP Bldg	\$0	\$0	\$0	\$0	\$0	\$0	\$1,355,195	\$1,355,195	M
OW-0235	Ord Well-head Disinfection	\$0	\$0	\$0	\$0	\$0	\$0	\$2,710,391	\$2,710,391	M
Category Legend E= CIP supports existing Infrastructure EDS= Eastern Distribution System (inland well-field) S= CIP supports a single parcel's or owner's project M= CIP supports projects for multiple parcels or owners										

**Marina Coast Water District
DRAFT Five-Year CIP**

CIP No.	PROJECT DESCRIPTION	FY 2015-16 Prior Year	FY 2016-17 Current Year	FY 2017-18 Proposed	FY 2018-19 Proposed	FY 2019-20 Proposed	FY 2020-21 Proposed	OUT YEARS	TOTAL	CATEGORY
OS-0000	Ord Sewer									
OS-0200	Clark Lift Station Improvement	\$572,000	\$206,475	\$0	\$0	\$0	\$0	\$0	\$778,475	E
OS-0205	Imjin LS & Force Main Improvements-Phase 1	\$0	\$263,000	\$310,000	\$0	\$0	\$0	\$558,000	\$1,131,000	M
OS-0203	Gigling LS and FM Improvements	\$65,000	\$508,000	\$808,000	\$0	\$0	\$0	\$0	\$1,381,000	E
OS-0152	Hatten, Booker, Neeson LS Improvements Project	\$20,000	\$100,000	\$0	\$425,000	\$0	\$0	\$370,000	\$915,000	E
OS-0154	Del Rey Oaks-Collection System Planning	\$0	\$0	\$61,200	\$0	\$0	\$0	\$0	\$61,200	S
OS-0208	Parker Flats Collection System	\$0	\$0	\$25,500	\$78,030	\$0	\$0	\$0	\$103,530	M
OS-0153	Misc. Lift Station Improvements	\$0	\$0	\$561,000	\$936,360	\$0	\$0	\$0	\$1,497,360	E
OS-0202	SCSD Sewer Improvements-DRO	\$0	\$0	\$502,454	\$1,537,510	\$0	\$0	\$0	\$2,039,964	S
OS-0209	Imjin LS & Force Main Improvements-Phase 2	\$0	\$0	\$65,000	\$920,000	\$0	\$0	\$370,000	\$1,355,000	E
OS-0147	Ord Village Sewer Pipeline & Lift Station Impr Project	\$0	\$0	\$0	\$562,651	\$0	\$0	\$0	\$562,651	E
OS-0204	CSUMB Developments	\$0	\$0	\$0	\$0	\$608,899	\$0	\$0	\$608,899	S
OS-0207	Seaside Resort Sewer Imps. Project	\$0	\$0	\$0	\$0	\$326,146	\$0	\$0	\$326,146	S
OS-0149	Dunes Sewer Pipeline Replacement Projects	\$0	\$0	\$0	\$0	\$461,923	\$0	\$0	\$461,923	M
OS-0151	Cypress Knolls Sewer Pipeline Improvements Project	\$0	\$0	\$0	\$0	\$0	\$97,424	\$0	\$97,424	S
OS-0215	Demolish Ord Main Garrison WWTP	\$0	\$0	\$0	\$0	\$0	\$1,623,648	\$0	\$1,623,648	E
OS-0148	Marina Heights Sewer Pipeline Improvements Project	\$0	\$0	\$0	\$0	\$0	\$825,863	\$0	\$825,863	M
OS-0150	East Garrison Lift Station Improvements	\$0	\$0	\$0	\$0	\$0	\$260,000	\$281,340	\$541,340	E
OS-0206	Fitch Park Sewer Improvements	\$0	\$0	\$0	\$0	\$0	\$0	\$127,071	\$127,071	S
OS-0210	1st Ave Sewer Pipeline Replacement Project	\$0	\$0	\$0	\$0	\$0	\$0	\$408,340	\$408,340	M
OS-0211	Gen'l Jim Moore Sewer Pipeline Replacement Project	\$0	\$0	\$0	\$0	\$0	\$0	\$49,972	\$49,972	M
OS-0212	Gen'l Jim Moore Sewer Pipeline Replacement Project III	\$0	\$0	\$0	\$0	\$0	\$0	\$187,037	\$187,037	M
OS-0214	Intergarrison/8th Ave SS (for Eastside Pkwy developments)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	M
OS-0213	MRWPCA Buy-In	\$0	\$0	\$0	\$0	\$0	\$0	\$11,040,808	\$11,040,808	M
OS-0216	SCSD Sewer Improvements-Seaside East	\$0	\$0	\$0	\$0	\$0	\$0	\$6,480,709	\$6,480,709	S
OS-0217	SCSD Sewer Improvements-City of Monterey	\$0	\$0	\$0	\$0	\$0	\$0	\$1,444,854	\$1,444,854	S

Category Legend

- E= CIP supports existing Infrastructure
- EDS= Eastern Distribution System (inland well-field)
- S= CIP supports a single parcel's or owner's project
- M= CIP supports projects for multiple parcels or owners

Marina Coast Water District DRAFT Five-Year CIP										
CIP No.	PROJECT DESCRIPTION	FY 2015-16 Prior Year	FY 2016-17 Current Year	FY 2017-18 Proposed	FY 2018-19 Proposed	FY 2019-20 Proposed	FY 2020-21 Proposed	OUT YEARS	TOTAL	CATEGORY
General Water (33% Marina, 67% Ord)										
GW-0112	A1 & A2 Zone Tanks & B/C Booster Station	\$74,000	\$0	\$3,644,720	\$3,265,330	\$3,369,150	\$0	\$0	\$10,353,200	E
GW-0212	Potable Water Tank Compliance Project	\$45,000	\$0	\$0	\$0	\$0	\$0	\$110,400	\$155,400	E
GW-0123	B2" Zone Tank @ CSUMB "	\$0	\$0	\$200,000	\$1,230,000	\$1,184,871	\$0	\$0	\$2,614,871	M
GW-0210	Reservoir A3 (1.6 MG)	\$0	\$0	\$0	\$0	\$0	\$0	\$3,469,240	\$3,469,240	M
GW-0231	Install Well 37 -Retire well 12	\$0	\$0	\$0	\$0	\$0	\$0	\$6,251,516	\$6,251,516	EDS
GW-0232	Install Well 38 -Retire well 10	\$0	\$0	\$0	\$0	\$0	\$0	\$6,251,516	\$6,251,516	EDS
GW-0233	A-BPS at ASP Bldg + Forebay Tank	\$0	\$0	\$0	\$0	\$0	\$0	\$1,665,535	\$1,665,535	EDS
GW-0234	Install Well 39 -Retire Well 30	\$0	\$0	\$0	\$0	\$0	\$0	\$6,251,516	\$6,251,516	EDS
GW-0235	B-BPS Expansion and Transmission to A1/A2 Tanks	\$0	\$0	\$0	\$0	\$0	\$0	\$13,084,043	\$13,084,043	EDS
GW-0236	Install Well 40 -Retire Well 11	\$0	\$0	\$0	\$0	\$0	\$0	\$6,251,516	\$6,251,516	EDS
GW-0237	Install Well 41 -Retire Well 31	\$0	\$0	\$0	\$0	\$0	\$0	\$6,251,516	\$6,251,516	EDS
General Sewer (37% Marina, 63% Ord)										
GS-0200	Odor Control Project	\$0	\$0	\$120,000	\$0	\$0	\$0	\$0	\$120,000	E
GS-0201	Del Monte/Reservation Road Sewer Main Improvements	\$0	\$0	\$0	\$270,000	\$0	\$0	\$0	\$270,000	E
Water District-Wide (27% MW, 7%MS, 54%OW, 12%OS)										
WD-0106	Corp Yard Demolition & Rehab	\$0	\$0	\$120,000	\$450,000	\$0	\$0	\$0	\$570,000	E
WD-0110	Asset Management Program -Phase II	\$0	\$0	\$250,000	\$0	\$0	\$0	\$0	\$250,000	E
WD-0110A	Asset Management Program --Phase III	\$0	\$0	\$0	\$250,000	\$0	\$0	\$0	\$250,000	E
WD-0115A	SCADA System Improvements (Security + RD integration)	\$0	\$0	\$0	\$300,000	\$0	\$0	\$110,000	\$410,000	E
WD-0202	IOP Building E (BLM)	\$2,542,500	\$0	\$0	\$0	\$0	\$0	\$0	\$2,542,500	S
Shared Project Costs										
	Marina Water Cost Center Share	\$725,745	\$0	\$1,368,658	\$1,753,459	\$1,502,827	\$0	\$16,393,343	\$21,744,032	
	Marina Sewer Cost Center Share	\$177,975	\$0	\$70,300	\$169,900	\$0	\$0	\$7,700	\$425,875	
	Ord Water Cost Center Share	\$1,452,680	\$0	\$2,775,762	\$3,551,871	\$3,051,194	\$0	\$33,282,555	\$44,114,062	
	Ord Sewer Cost Center Share	\$305,100	\$0	\$120,000	\$290,100	\$0	\$0	\$13,200	\$728,400	
Total Costs										
	Ord Water	\$1,997,862	\$1,169,374	\$5,547,533	\$8,767,535	\$3,569,494	\$1,288,800	\$70,396,495	\$92,737,093	
	Ord Sewer	\$962,100	\$1,077,475	\$2,453,154	\$4,749,651	\$1,396,968	\$2,806,935	\$21,331,331	\$34,777,614	
	Total	\$2,959,962	\$2,246,849	\$8,000,687	\$13,517,186	\$4,966,462	\$4,095,735	\$91,727,826	\$127,514,707	
Water Augmentation										
RW-0156	RUWAP ATW - Normandy to MRWPCA	\$522,000	\$12,670,000	\$14,124,000	\$7,644,000	\$0	\$0	\$2,000,000	\$36,960,000	

RESOLUTION NO. 2016-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

CERTIFYING THE FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR THE MONTEREY DOWNS AND MONTEREY HORSE PARK AND CENTRAL COAST VETERANS CEMETERY SPECIFIC PLAN; MAKING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS; AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, formal applications (including a Specific Plan; General Plan Amendment; Zoning Amendment; Sphere of Influence Amendment; Rezoning and Annexation; Vesting Tentative Map; and Master Tentative Map) were submitted by Monterey Downs, LLC (the “Applicant”) in connection with the proposed Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan Project (the “Project”), which is proposed to be located on approximately 711.1 acres of the former Fort Ord, a former U.S. Army base; and

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code sections 21000, *et seq.*) (“CEQA”) and the State CEQA Guidelines (14 Cal. Code Regs. sections 15000, *et seq.*) (“CEQA Guidelines”), the City is the lead agency for the Project; and

WHEREAS, in 1997, pursuant to CEQA and the CEQA Guidelines, the Fort Ord Reuse Authority adopted the Fort Ord Base Reuse Plan (BRP) to provide a framework for reuse of the entire Fort Ord property (approximately 27,964 acres), and in connection with the BRP, certified the Fort Ord Reuse Plan [Program] Environmental Impact Report (BRP EIR) (SCH #96013022); and

WHEREAS, CEQA encourages “tiering” EIRs for a sequence of actions so that later EIRs build on information in previous EIRs (Public Resources Code sections 21068.5 and 21093; CEQA Guidelines section 15152(d)); and

WHEREAS, on September 22, 2012, pursuant to CEQA Guidelines section 15082(a), the City distributed to responsible and trustee agencies, the State Office of Planning and Research, and members of the public who had requested such noticing a Notice of Preparation (“NOP”) of a Subsequent Environmental Impact Report (“SEIR”) for the Project, which would tier off of the BRP EIR; and

WHEREAS, on October 9, 2012, the City conducted a public scoping meeting to provide information on the Project and to receive comments on issues to be addressed in the SEIR; and

WHEREAS, the City subsequently contracted for the independent preparation of a Draft Subsequent Environmental Impact Report (the “Draft SEIR”) (SCH #2012091056) for the Project, including all necessary technical studies and reports in support of the Draft SEIR; and

WHEREAS, in March 2015, the Draft SEIR for the Project was completed; and

WHEREAS, the City circulated the Draft SEIR and its appendices to the public, responsible and trustee agencies, and other interested parties for an 80-day comment period from March 31, 2015 to June 19, 2015, in excess of the 45-day public comment period required by CEQA Guidelines section 15105, and the City received 290 comment letters on the Draft SEIR; and

WHEREAS, on April 30, 2015 the City conducted a public workshop on the Draft SEIR and received 45 oral comments; and

WHEREAS, the City prepared written responses to all comments timely received on the Draft SEIR, and those responses to comments are incorporated into the Final Subsequent Environmental Impact Report (the “Final SEIR”), which is comprised of the Draft SEIR dated March 2015 and all appendices thereto, and the Final SEIR Volumes I and II (consisting of the public comments, responses to those comments, and revisions to the Draft SEIR); and

WHEREAS, the responses to comments were distributed to all public agencies and members of the public that submitted comments on the Draft SEIR in August 2016, at least 10 days prior to certification of the Final SEIR, and the written responses to comments also were made available for public review on the City’s web site and at the City offices; and

WHEREAS, the Planning Commission of the City of Seaside reviewed and considered the Final SEIR in connection with the Project and on a 3 to 2 vote, recommended that the City Council certify the Final SEIR, make CEQA findings, adopt a Statement of Overriding Considerations, and adopt a Mitigation Monitoring and Reporting Program; and

WHEREAS, on September 29, 2016 and October 5, 2016, the City Council conducted a study session at which time the City Council received presentations from staff, the SEIR consultant, and the applicant; asked questions and received answers and information; and heard and considered additional public testimony; and

WHEREAS, an Appendix to the Final SEIR (as set forth in Exhibit A, which is attached hereto and incorporated herein by reference) was prepared to correct certain minor scrivener’s errors and to provide clarification on certain matters, but which did not reflect any significant new information as stated in CEQA Guidelines section 15088.5(a); and

WHEREAS, on October 13, 2016, at a duly noticed special meeting, the City Council held a public hearing on the Project and received presentations from staff, the SEIR consultant, and the applicant; asked questions and received answers and information; and heard and considered additional public testimony.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Seaside hereby finds as follows:

Section 1. The City Council hereby finds that the above recitals are true and correct, and hereby incorporates them herein as though set forth in full by this reference.

Section 2. The City Council hereby finds that agencies and interested members of the public have been afforded ample notice and opportunity to comment on the Final SEIR and the Project.

Section 3. The findings made in this Resolution are based upon the information and evidence set forth in the Final SEIR and upon other substantial evidence which has been presented at the hearings before the Planning Commission and City Council, the study session before the City Council, and in the record of the proceedings. The documents, staff reports, technical studies, appendices, plans, specifications, and other materials that constitute the record of proceedings on which this Resolution is based are on file for public examination during normal business hours at City Hall (Department of Community and Economic Development and/or City Clerk), 440 Harcourt Avenue, Seaside, CA 93955. Each of those documents is incorporated herein by reference.

Section 4. The City Council has independently reviewed and considered the contents of the Final SEIR prior to rendering a decision on the Project. The City Council hereby finds that the Final SEIR reflects the independent judgment of the City. The City Council further finds that the additional information provided in the staff reports, in comments on the Draft SEIR, the responses to comments on the Draft SEIR, the Appendix to the Final SEIR, and the evidence presented in written and oral testimony at the City Council and Planning Commission hearings, does not constitute new information requiring recirculation of the SEIR under CEQA. None of the information presented to the Planning Commission or City Council has deprived the public of a meaningful opportunity to comment upon a substantial environmental impact of the Project or a feasible mitigation measure or alternative that the City has declined to implement.

Section 5. The City Council finds that the comments regarding the Draft SEIR and the responses to those comments have been received by the City; that the Planning Commission and City Council received information and public testimony regarding the adequacy of the SEIR; and that the City Council has reviewed and considered all such documents and testimony and the Final SEIR and Appendix to the Final SEIR prior to making its determination on the Project. The City Council, pursuant to CEQA Guidelines section 15090, hereby certifies that the Final SEIR has been completed in compliance with CEQA.

Section 6. Section 15091 of the CEQA Guidelines requires that the City, before approving the Project, make one or more of the following written finding(s) for each significant effect identified in the Final SEIR accompanied by a brief explanation of the rationale for each finding:

- (a) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR; or,
- (b) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency; or,

- (c) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

These required findings are contained in the CEQA Findings set forth in Exhibit B to this Resolution, which is attached hereto and incorporated herein by this reference.

Section 7. Based upon the Final SEIR and the record before the Planning Commission and the City Council, the City Council finds that the Project will not cause any significant environmental impacts after mitigation except in the areas of Aesthetics – project-level and cumulative changes to visual character and quality; Air Quality – project-level and cumulative operational ROG, NOx, and CO emissions; Biological Resources – project-level and cumulative impacts from removal of 315 acres of Coast Live Oak Woodland, and project-level and cumulative impacts from removal of 53 Landmark Coast Live Oak trees; Greenhouse Gas Emissions – exceedance of annual per capita GHG emissions thresholds on a project-level and cumulative basis; Land Use and Planning – conflicts with BRP Hydrology/Water Quality Policies B-1 and B-2; Hydrology and Water Quality – project-level and cumulative potential to deplete groundwater supplies; Traffic and Transportation – impacts to Levels of Service and conflicts with Congestion Management Plan; Water Supplies – project-level and cumulative impacts to water supplies due to insufficient water for Project phases IV-VI and uncertain recycled and desalinated water supplies. Explanations for why the impacts other than the foregoing were found to be less than significant are contained in the CEQA Findings set forth in Exhibit B and more fully described in the Final SEIR.

Section 8. Based upon the Final SEIR and record before the City Council, the City Council finds that the Project will create significant unavoidable impacts to Aesthetics – project-level and cumulative changes to visual character and quality; Air Quality – project-level and cumulative operational ROG, NOx, and CO emissions; Biological Resources – project-level and cumulative impacts from removal of 315 acres of Coast Live Oak Woodland, and project-level and cumulative impacts from removal of 53 Landmark Coast Live Oak trees; Greenhouse Gas Emissions – exceedance of annual per capita GHG emissions thresholds on a project-level and cumulative basis; Land Use and Planning – conflicts with BRP Hydrology/Water Quality Policies B-1 and B-2; Hydrology and Water Quality – project-level and cumulative potential to deplete groundwater supplies; Traffic and Transportation – impacts to Levels of Service and conflicts with Congestion Management Plan; Water Supplies – project-level and cumulative impacts to water supplies due to insufficient water for Project phases IV-VI and uncertain recycled and desalinated water supplies. These significant impacts are further described in the CEQA Findings set forth in Exhibit B, which is attached hereto and incorporated herein by this reference, and in the Final SEIR. The Findings in Exhibit B explain that all feasible mitigation has been incorporated to reduce the level of impact, but that even after mitigation certain impacts remain significant.

Section 9. The SEIR describes, and the City Council has fully considered, a reasonable range of alternatives to the Project. These alternatives include Alternative 6.1.1 – No Project/No Development Alternative; Alternative 6.1.2 – No Project/Existing Land Use Designations Development; Alternative 6.2 – Reduced Density Alternative; Alternative 6.3 –

Modified Project Alternative; and Alternative 6.4 – Alternate Site Alternative. The City Council hereby rejects each of these Alternatives for the reasons set forth in the Findings in Exhibit B, which are based on substantial evidence in light of the whole of the record of proceedings. The City Council further finds that each reason for rejecting each Alternative is an independent ground for rejecting the Alternative and by itself, independent of any other reason, would justify rejection.

Section 10. Public Resources Code section 21081.6 requires the City to prepare and adopt a mitigation monitoring and reporting program for any project for which mitigation measures have been imposed to assure compliance with the adopted mitigation measures. The City Council hereby adopts the mitigation measures set forth in the Mitigation Monitoring and Reporting Program, attached hereto as Exhibit C and incorporated herein by this reference, and imposes each mitigation measure as a condition of Project approval.

Section 11. For all significant and unavoidable impacts identified in the Final SEIR as “significant and unavoidable,” the City Council hereby adopts the “Statement of Overriding Considerations” as set forth in Exhibit D, which is attached hereto and incorporated herein by reference. The City Council finds that each of the overriding benefits, by itself, would justify proceeding with the Project despite any significant unavoidable impacts identified in the Final SEIR or alleged to be significant in the record of proceedings.

PASSED AND ADOPTED at a special meeting of the City Council of the City of Seaside duly held on the 13th day of October 2016, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

Ralph Rubio, Mayor

ATTEST:

Lesley E. Milton-Rerig, City Clerk

Exhibit A – Draft Appendix to the Final SEIR
Exhibit B – Draft CEQA Findings
Exhibit C – Draft Mitigation Monitoring and Reporting Program
Exhibit D – Draft Statement of Overriding Considerations

11.6 APPENDIX TO THE FINAL SUBSEQUENT EIR

The Final Subsequent EIR (“Final SEIR”) for the Project was published in August 2016. In October 2016, after the Final SEIR had been made public, the City discovered certain minor scrivener’s errors and certain matters requiring clarification. This corrects those minor errors and provides the necessary clarification.

Based on the standards defined in Section 15088.5 of the CEQA Guidelines, recirculation of neither the Final SEIR is required based on the analysis contained in this Appendix to the Final EIR. This section of the CEQA Guidelines states that a lead agency is required to recirculate an EIR when significant new information is added to the EIR. This information can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. Significant new information requiring recirculation could include a new significant environmental impact or a substantial increase in the severity of an environmental impact. The changes that have been made as set forth below involve solely minor corrections to address scrivener’s errors and ensure consistency across the document from one section to the next (for example, carrying over the correct language in a mitigation measure and ensuring consistency in the phrasing of clauses common to more than one mitigation measure). Because no new significant impacts result from these changes, and no new significant information has been added to the Final SEIR, recirculation of the Final SEIR is not necessary.

Revisions to the Final SEIR are presented in a box, with added text indicated by underlining and deleted text indicated by strike through, as shown in the following example.

Deleted DEIR text <u>Added text</u>
--

SECTION ES, EXECUTIVE SUMMARY

Page ES 18 - ES 19 (Final SEIR)

In the Final SEIR Summary only, “California tiger salamander” was inadvertently added to Impact Statement 10 for those special status animal species that do not require take authorization. As discussed on page 4.3.-43 of the Draft SEIR, California tiger salamander does require take authorization. The impacts to California tiger salamander are identified in Impact Statement 11. Therefore, “California tiger salamander” is removed from Impact Statement 10.

Impacts	Mitigation Measures	Level of Significance With Mitigation
9. Construction activities within the Central Coast Veterans Cemetery could result in direct impacts to one federally threatened Habitat Management Plan plant species, Monterey spineflower (approximately 9.0 AC). 10. Development of the Central Coast Veterans Cemetery could result in direct impacts to the following Habitat Management Plan special status species, which do not require take authorization: the Monterey ornate shrew, California tiger salamander, and California legless lizard. 11. Development of the Central Coast Veterans Cemetery could disturb potential upland habitat of the California tiger salamander, a federal and state listed threatened species, as a result of vegetation removal and other construction activities. 12. Development of the Central Coast Veterans Cemetery could result in direct impacts to the following Non-Habitat Management Plan Special Status Animal Species: pallid bat, Townsend's big-eared bat, Monterey duskey-footed woodrat, American badger, coast horned lizard, and protected avian species. 13. Development of the Central Coast Veterans Cemetery has the potential to indirectly affect Habitat Management Plan and non-Habitat Management Plan special-status plant and animal species within the adjacent habitat management areas. 14. Development of the Central Coast Veteran's Cemetery could result in construction noise, dust, and vibration within and adjacent to large trees and other potential roosting habitat causing indirect impacts to roost abandonment and death of young pallid bats and Townsend's big-eared bats. Seaside Corporation Yard 15. Development of the Seaside Corporation Yard could result in direct impacts to the following special status Habitat Management Plan plant species: Hooker's manzanita; Toro manzanita, sandmat manzanita, Monterey ceonothus, and Eastwood's goldenbrush.	moisture, overcast, etc.). The intensity of a continued search may then be adjusted, based on the first survey's results in the best habitat. A “three pass method” shall be used to locate and remove as many legless lizards as possible. A first pass shall locate as many legless lizards as possible, a second pass should locate fewer lizards than the first pass, and a third pass should locate fewer lizards than the second pass. All search passes shall be conducted in the early morning when legless lizards are easiest to capture. Vegetation may be removed by hand to facilitate hand raking and search efforts for legless lizards in the soil under brush. If lizards are found during the first pass, an overnight period of no soil disturbance must occur before the second pass, and the same requirement shall be implemented after the second pass. If no lizards are found during the second pass, a third pass is not required. Installation of a barrier, in accordance with the three pass method, may be required if legless lizards are found at the limits of construction (Project boundaries) and sufficient soft sand and vegetative cover are present to suspect additional lizards are in the immediate vicinity on the adjacent property. A barrier would prevent movement of legless lizards into the property. All lizards discovered shall be handled according to the salvage procedures outlined below. Construction Monitoring. Monitoring by a qualified biologist shall be ongoing during construction. The onsite monitor shall be present during all ground-disturbing construction activities. To facilitate the careful search for lizards during construction, vegetation may need to be removed. If removal by hand is impractical, equipment such as a chainsaw, string trimmer, or skid-steer may be used, if a monitor and crew are present. The equipment shall be used to remove plants under the monitor's direction, allowing the monitor to watch for legless lizards. After plants are removed, the monitor and crew shall search the exposed area for legless lizards. If legless lizards are found during construction monitoring, the protocols for salvage and relocation identified	

Impacts	Mitigation Measures	Level of Significance With Mitigation
16. Development of the Seaside Corporation Yard could result in direct impacts to a federal threatened Habitat Management Plan plant species, the Monterey spineflower (0.15 AC).	below shall be followed. • Salvage and Relocation. Only experienced persons may capture or handle legless lizards. The monitor shall demonstrate a basic	

Page ES 40 - ES 41 (Final SEIR)

In the Final SEIR Summary only, impacts to riparian habitat and coast live oak woodland were combined as one impact with significant and unavoidable impacts. As presented in the Draft SEIR, pages 4.3-67 to 4.3-68, impacts to riparian habitat would be reduced to a less than significant level with implementation of the identified mitigation measure. Therefore, the following changes are made to the summary impact statements for riparian habitat and coast live oak woodland.

Impacts	Mitigation Measures	Level of Significance With Mitigation
Impact 4.3-2: Riparian Habitat or Other Sensitive Natural Community		
The Project could impact 0.2 AC of riparian <u>habitat</u> . 315 AC of coast live oak woodland habitats.	BIO-15 Impacts to Riparian Habitat. The Monterey Downs REC-2 Planning Area shall be designed to avoid impacts to riparian habitat and jurisdictional waters (if any) to the greatest extent feasible, while taking into account site and engineering constraints, including incorporating site design revisions to relocate Project features and/or reduce water quality impacts. If riparian impacts to riparian habitat and jurisdictional waters cannot be avoided, then the following measures shall be implemented to reduce identified impacts to less than significant: • Prior to issuance of a grading permit for the Monterey Downs REC-2 Planning Area, the Project Proponent shall comply with all applicable local, state, and federal regulations related to impacting riparian habitat, including local tree removal ordinances, Clean Water Act (CWA) Sections 401 and 404, and/or California Fish and Wildlife Code Section 1602. Specifically, the Project Proponent shall obtain a Section 401 permit under the federal CWA from the RWQCB and a Section 404 permit under the federal CWA from ACOE. All permit requirements shall be followed. • In support of the regulatory agency wetland permitting process described above, a wetland delineation shall be conducted for the Monterey Downs REC-2 Planning Area to determine the presence and extent of jurisdictional wetlands and other waters of the U.S. The wetland delineation shall be conducted according to the protocols set forth by the ACOE. • Impacted riparian habitat shall be mitigated at a 1:1 replacement-to-loss ratio; the final mitigation amounts shall be determined during	Significant and Unavoidable Impact. <u>Less than Significant with Mitigation Incorporated</u>

Impacts	Mitigation Measures	Level of Significance With Mitigation
	the regulatory agency permitting process through the preparation of a Habitat Mitigation and Monitoring Plan (HMMP) by a qualified biologist. It is expected that the riparian mitigation site can occur within the Monterey Downs REC-2 Planning Area or a different planning area within the Monterey Downs development area. The HMMP shall include but not limited to, a planting plan, success criteria, monitoring protocols to determine if success criteria have been met, adaptive management protocols in the event success criteria are not met, and funding assurances. BIO-16 — Impacts to Coast Live Oak Woodland Habitat. — The direct loss of coast live oak woodland habitat cannot be avoided with implementation of the Project; therefore, the following measures shall be implemented to reduce identified impacts. Direct loss of coast live oak woodland habitat shall be mitigated at 1:1 compensation ratio. A. — Coast Live Oak woodland habitat restoration shall account for a maximum of 50 percent of required mitigation. A Forest Management Plan/Oak Woodland Mitigation Plan shall be prepared by a qualified biologist. The oak woodland mitigation site(s) will occur within the Specific Plan area, the adjacent Monterey County Fort Ord Recreation Habitat Area (FORHA), or within other appropriate habitats on the former Fort Ord. If there are no areas within the former Fort Ord where the impacts can be feasibly and appropriately mitigated, the Project Proponent shall identify another acceptable location, preferably within Monterey County. The Forest Management Plan/Oak Woodland Mitigation Plan shall be consistent with the Fort Ord Habitat Management Plan (HMP), and will include but not be limited to, a planting plan, success criteria, monitoring protocols to determine if success criteria have been met, adaptive management protocols in the event that success criteria are not met, and funding assurances. The Forest Management Plan/Oak Woodland Mitigation Plan shall be submitted to the City of Seaside for review and approval prior to issuance of the first grading permit. The portion of the plan applicable to each development project shall be implemented prior to the issuance each grading permit. B. — In addition, the Project Proponent shall (1) create a conservation easement and/or (2) participate in a mitigation bank or fee program to conserve oak woodlands, which shall account for the remainder of the required mitigation: 1. — The Project Proponent shall establish an oak woodland permanent conservation easement in the project vicinity approved by the City of Seaside. The location of this conservation	

Impacts	Mitigation Measures	Level of Significance With Mitigation
	easement shall be sited to preserve regional native biological diversity, such as adjacent to protected habitat areas. 2. Project Proponent shall purchase oak woodland mitigation credits at County- and/or City-approved off-site mitigation bank(s) (if available) to compensate for the direct loss of oak woodland habitat based on a 1:1 compensation ratio. If this is not feasible, the Project Proponent shall contribute funds to the State of California Oak Woodlands Conservation Fund. This Fund has been established under Section 1363 of the California Fish and Game Code for the purpose of purchasing oak woodland conservation easements per the guidelines of the Wildlife Conservation Board. Evidence of creation of a conservation easement and/or participation in a mitigation bank or fee program shall be submitted to the City of Seaside for review and approval prior to issuance of a grading permit for development projects affecting oak woodland habitat. The Forest Management Plan/Oak Woodland Mitigation Plan shall also include the measures identified in BIO-17 presented later in this section.	
Impact 4.3-2: Riparian Habitat or Other Sensitive Natural Community The Project would impact 315 AC of coast live oak woodland habitats.		
	BIO-16 Impacts to Coast Live Oak Woodland Habitat. The direct loss of coast live oak woodland habitat cannot be avoided with implementation of the Project; therefore, the following measures shall be implemented to reduce identified impacts. Direct loss of coast live oak woodland habitat shall be mitigated at 1:1 compensation ratio. A. Coast Live Oak woodland habitat restoration shall account for a maximum of 50 percent of required mitigation. A Forest Management Plan/Oak Woodland Mitigation Plan shall be prepared by a qualified biologist. The oak woodland mitigation site(s) will occur within the Specific Plan area, the adjacent Monterey County Fort Ord Recreation Habitat Area (FORHA), or within other appropriate habitats on the former Fort Ord. If there are no areas within the former Fort Ord where the impacts can be feasibly and appropriately mitigated, the Project Proponent shall identify another acceptable location, preferably within Monterey County. The Forest Management Plan/Oak Woodland Mitigation Plan shall be consistent with the Fort Ord Habitat Management Plan (HMP), and will include but not be limited to, a planting plan, success criteria, monitoring protocols to determine if success criteria have been met, adaptive management protocols in the event that success criteria are not met, and funding assurances. The Forest Management Plan/Oak Woodland Mitigation Plan shall be submitted to the City of	Significant and Unavoidable

Impacts	Mitigation Measures	Level of Significance With Mitigation
	<u>Seaside for review and approval prior to issuance of the first grading permit. The portion of the plan applicable to each development project shall be implemented prior to the issuance each grading permit.</u> B. <u>In addition, the Project Proponent shall (1) create a conservation easement and/or (2) participate in a mitigation bank or fee program to conserve oak woodlands, which shall account for the remainder of the required mitigation:</u> 1. <u>The Project Proponent shall establish an oak woodland permanent conservation easement in the project vicinity approved by the City of Seaside. The location of this conservation easement shall be sited to preserve regional native biological diversity, such as adjacent to protected habitat areas.</u> 2. <u>Project Proponent shall purchase oak woodland mitigation credits at County- and/or City-approved off-site mitigation bank(s) (if available) to compensate for the direct loss of oak woodland habitat based on a 1:1 compensation ratio. If this is not feasible, the Project Proponent shall contribute funds to the State of California Oak Woodlands Conservation Fund. This Fund has been established under Section 1363 of the California Fish and Game Code for the purpose of purchasing oak woodland conservation easements per the guidelines of the Wildlife Conservation Board.</u> <u>Evidence of creation of a conservation easement and/or participation in a mitigation bank or fee program shall be submitted to the City of Seaside for review and approval prior to issuance of a grading permit for development projects affecting oak woodland habitat.</u> <u>The Forest Management Plan/Oak Woodland Mitigation Plan shall also include the measures identified in BIO-17 presented later in this section.</u>	

Pages 4.17-84, 4.17-93, 4.17-94, 4.17-95 (Draft SEIR) and as associated pages of the Executive Summary (Final SEIR)

In the Draft SEIR and Final SEIR, Mitigation Measures TRA-5, TRA-6, TRA-10, TRA-11, TRA-12, TRA-13, TRA-15, and TRA-16 were inadvertently written to require the applicant to pay both their fair share *and* to construct the entire improvement subject to a reimbursement agreement and to identify the need for trip generation studies at the appropriate times in the development application process. The mitigation measures are modified to clarify that the applicant shall pay its fair share or construct the improvements and enter into a reimbursement agreement, but not both.

TRA-5 Install a traffic signal and widen the SR-1 Southbound on-ramp to two lanes at Intersection #38: SR-1 Southbound Ramps and Imjin Parkway.

The Project applicant shall submit payment of a fair share of the improvements described below prior to issuance of building permits. ~~pay its fair share of the cost for this improvement at the time of the initial Building Permit application.~~ In terms of when the improvements would need to be constructed, as part of the application process for the site-specific development under the Specific Plan, the applicants for each development pursuant to the Specific Plan shall submit a Trip Generation Study. This information shall be utilized by the City to determine whether the relevant trip generation thresholds are met, taking into account past Project trip generation studies and the running cumulative total. The City may also take actual traffic counts and operations at the mitigation locations into account (funded by the applicant), in determining when specific improvements need to be constructed. This intersection and ramp improvement is contained in the City of Marina CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs. If the City of Marina does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the mitigation measures to reduce the impact.

TRA-6 Install a traffic signal at Intersection #50: SR-1 Southbound Ramps and Reservation Road.

The Project applicant shall submit payment of a fair share of the improvements described below prior to issuance of building permits. ~~pay its fair share of the cost for this improvement at the time of the initial Building Permit application.~~ In terms of when the improvements would need to be constructed, as part of the application process for the site-specific development under the Specific Plan, the applicants for each development pursuant to the Specific Plan shall submit a Trip Generation Study. This information shall be utilized by the City to determine whether the relevant trip generation thresholds are met, taking into account past Project trip generation studies and the running cumulative total. The City may also take actual traffic counts and operations at the mitigation locations into account (funded by the applicant), in determining when specific improvements need to be constructed. This intersection and ramp improvement is contained in the City of Marina CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs. If the City of Marina does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the mitigation measures to reduce the impact.

TRA-10 Construct a traffic signal or roundabout at Intersection #16: 7th Avenue and Inter-Garrison Road.

This improvement is not included in the City of Marina CIP and the Project Applicant would pay its fair share of mitigation costs or would implement the improvement after receiving approval from the City of Marina public works department and enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the Project Applicant's fair share. If the City of Marina does not accept fair share payment allow construction of the identified off-site improvement then the Project Applicant shall be relieved from having to implement the improvement due to infeasibility of the mitigation measures. In terms of when the improvements would need to be constructed, as part of the application process for the site-specific development under the Specific Plan, the applicants for each development pursuant to the Specific Plan shall submit a Trip Generation Study. This information shall be utilized by the City to determine whether the relevant trip generation thresholds are met, taking into account past Project trip generation studies and the running cumulative total. The City may also take actual traffic counts and operations at the mitigation locations into account (funded by the applicant), in determining when specific improvements need to be constructed.

TRA-11 Construct a traffic signal or roundabout at Intersection #29: Inter-Garrison Road and Abrams Drive.

This intersection improvement is not included in the City of Marina CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs or shall implement the improvement after receiving approval from the City of Marina public works department and enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the Project Applicant's fair share. (Fair share costs for cumulative impacts based on estimated 2013 Project costs to be adjusted annually on July 1 by the Engineering Record's Construction Cost Index). If the City of Marina does not accept fair share payment allow construction of the identified off-site improvement then the Project Applicant shall be relieved from having to implement the improvement due to infeasibility of the mitigation measures to reduce the impact. In terms of when the improvements would need to be constructed, as part of the application process for the site-specific development under the Specific Plan, the applicants for each development pursuant to the Specific Plan shall submit a Trip Generation Study. This information shall be utilized by the City to determine whether the relevant trip generation thresholds are met, taking into account past Project trip generation studies and the running cumulative total. The City may also take actual traffic counts and operations at the mitigation locations into account (funded by the applicant), in determining when specific improvements need to be constructed.

TRA-12 Intersection #32: Reservation Road and Inter-Garrison Road. Widen and restripe the intersection to include one northbound left lane turn lane and two northbound right turn lanes, two westbound left turn lanes, and two westbound through lanes.

This intersection improvement is not included in the County of Monterey CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs or shall implement the improvement after receiving approval from the County of Monterey and ~~The Project Applicant shall~~ enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the Project Applicant's fair share. (Fair share costs for cumulative impacts based on estimated 2013 Project costs to be adjusted annually on July 1 by the Engineering Record's Construction Cost Index). If the County of Monterey does

not accept fair share payment then the Project Applicant shall be relieved from having to implement the improvement due to infeasibility of the mitigation measures to reduce the impact. In terms of when the improvements would need to be constructed, as part of the application process for the site-specific development under the Specific Plan, the applicants for each development pursuant to the Specific Plan shall submit a Trip Generation Study. This information shall be utilized by the City to determine whether the relevant trip generation thresholds are met, taking into account past Project trip generation studies and the running cumulative total. The City may also take actual traffic counts and operations at the mitigation locations into account (funded by the applicant), in determining when specific improvements need to be constructed.

TRA-13 Intersection #45: Reservation Road and Davis Road. Add a through lane on the westbound Reservation Road approach. Add additional left turn lane on the eastbound Reservation Road approach. Add additional right turn lane and implement “free” right turns for vehicles turning right into westbound Reservation Road from southbound Davis Road.

This intersection improvement is not included in the County of Monterey CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs or shall implement the improvement after receiving approval from the County of Monterey and ~~The Project Applicant shall~~ enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the Project Applicant’s fair share. (Fair share costs for cumulative impacts based on estimated 2013 Project costs to be adjusted annually on July 1 by the Engineering Record’s Construction Cost Index). If the County of Monterey does not accept fair share payment then the Project Applicant shall be relieved from having to implement the improvement due to infeasibility of the mitigation measures to reduce the impact. In terms of when the improvements would need to be constructed, as part of the application process for the site-specific development under the Specific Plan, the applicants for each development pursuant to the Specific Plan shall submit a Trip Generation Study. This information shall be utilized by the City to determine whether the relevant trip generation thresholds are met, taking into account past Project trip generation studies and the running cumulative total. The City may also take actual traffic counts and operations at the mitigation locations into account (funded by the applicant), in determining when specific improvements need to be constructed.

TRA-14 Intersection #48: Blanco Road and Davis Road. Add a left turn lane, through lane, and right turn lane on the southbound Davis Road approach. Add two through lanes on the northbound Davis Road approach, so that it has three through lanes and one right turn only lane (instead of one through lane and one shared through-right turn lane). Add two through lanes on the eastbound Blanco Road approach so that it has three through lanes and one right turn only lane (instead of one through lane and one shared through-right lane). Add a left turn lane, a through lane, and a right turn lane on the westbound Blanco Road approach, utilize “overlap” phasing for right turns from westbound Blanco Road approach and southbound Davis Road approach.

This intersection improvement is not included in the County of Monterey CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs or shall implement the improvement after receiving approval from the County of Monterey and ~~The Project Applicant shall~~ enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the Project Applicant’s fair share. (Fair share costs for cumulative impacts based on estimated 2013 Project costs to be adjusted annually on July 1 by the Engineering Record’s Construction Cost Index). If the County of Monterey does

not accept fair share payment then the Project Applicant shall be relieved from having to implement the improvement due to infeasibility of the mitigation measures to reduce the impact. In terms of when the improvements would need to be constructed, as part of the application process for the site-specific development under the Specific Plan, the applicants for each development pursuant to the Specific Plan shall submit a Trip Generation Study. This information shall be utilized by the City to determine whether the relevant trip generation thresholds are met, taking into account past Project trip generation studies and the running cumulative total. The City may also take actual traffic counts and operations at the mitigation locations into account (funded by the applicant), in determining when specific improvements need to be constructed.

TRA-15 (Intersection #49): Construct a traffic signal at Intersection #49: SR-1 NB Ramps and Reservation Road.

The Project applicant shall submit payment of a fair share of the improvements described below prior to issuance of building permits. pay its fair share of the cost for this improvement at the time of the initial Building Permit application. In terms of when the improvements would need to be constructed, as part of the application process for the site-specific development under the Specific Plan, the applicants for each development pursuant to the Specific Plan shall submit a Trip Generation Study. This information shall be utilized by the City to determine whether the relevant trip generation thresholds are met, taking into account past Project trip generation studies and the running cumulative total. The City may also take actual traffic counts and operations at the mitigation locations into account (funded by the applicant), in determining when specific improvements need to be constructed. This intersection and ramp improvement is contained in the City of Marina CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs. If the City of Marina does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the mitigation measures to reduce the impact.

TRA-16 Construct a traffic signal at Intersection #50: SR-1 Southbound Ramps and Reservation Road.

The Project applicant shall submit payment of a fair share of the improvements described below prior to issuance of building permits. pay its fair share of the cost for this improvement at the time of the initial Building Permit application. In terms of when the improvements would need to be constructed, as part of the application process for the site-specific development under the Specific Plan, the applicants for each development pursuant to the Specific Plan shall submit a Trip Generation Study. This information shall be utilized by the City to determine whether the relevant trip generation thresholds are met, taking into account past Project trip generation studies and the running cumulative total. The City may also take actual traffic counts and operations at the mitigation locations into account (funded by the applicant), in determining when specific improvements need to be constructed. This intersection and ramp improvement is contained in the City of Marina CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs. If the City of Marina does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the mitigation measures to reduce the impact.

DRAFT CEQA FINDINGS

TABLE OF CONTENTS

I	Introduction.....	1
II	Project Objectives	2
III	Background.....	4
IV	No Impact Determinations in the EIR.....	12
V	Effects Determined to be Less than Significant without Mitigation in the EIR	15
VI	Significant Environmental Impacts Determined to be Mitigated to a Less than Significant Level	19
VII	Environmental Effects that Remain Significant and Unavoidable after Mitigation Because Mitigation Implementation is the Responsibility of Another Agency	110
VIII	Environmental Effects that Remain Significant and Unavoidable After Mitigation	130

DRAFT CEQA FINDINGS

1 INTRODUCTION

It is noted, the terms “Project Applicant(s),” “Applicant,” “Project Proponents,” and “Developers” are used interchangeably in Mitigation Measures (and throughout the DSEIR and Findings). These terms are used to generally communicate the entity responsible for implementing a Mitigation Measure. These terms refer to the entity applying for the entitlement for various current and future development permits, at the milestone specified in the Mitigation Measure, and as authorized by and within the Monterey Downs Specific Plan area. These terms are not intended to communicate that the entity responsible for implementing the Mitigation Measures is solely the current Specific Plan Applicant (meaning, Monterey Downs, LLC.), rather the entity applying for the particular entitlement, whether it be Monterey Downs, LLC, the Monterey Horse Park, the City of Seaside (corporation yard), or any other entity developing within the Specific Plan area. A future Project Applicant seeking a development permit within the Specific Plan area is subject to compliance with the conditions of approval and applicable Mitigation Measures.

The California Environmental Quality Act (CEQA) and the State CEQA Guidelines (Guidelines) provide that no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that will occur if a project is approved or carried out unless the public agency makes one or more of the following findings:

- A. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects identified in the EIR.**
- B. Such changes or alterations are within the responsibility of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.**
- C. Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR.**

Pursuant to the requirements of CEQA, the City Council hereby makes the following environmental findings in connection with approval of the Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan (Specific Plan), as more fully described in the Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan Subsequent EIR (hereinafter “EIR”). These findings are based upon evidence presented in the record of these proceedings, both written and oral, the SEIR and all of

DRAFT CEQA FINDINGS

its contents, the Comments and Responses to Comments on the Draft SEIR, and staff and consultants' reports presented to the Planning Commission and the City Council.

II PROJECT OBJECTIVES

As set forth in the EIR, objectives that the Project Applicant seeks to achieve with this Specific Plan are as follows:

Project Applicant (Monterey Downs and Monterey Horse Park)

- Creating a walkable vibrant, mixed-use equestrian-themed village with jobs, housing, recreation, and a Veterans Cemetery.
- Building upon the Fort Ord Reuse Plan (also commonly referred to as the Base Reuse Plan or BRP) cornerstones of economics, education, and the environment, while honoring our veterans and the former Fort Ord military history.
- Producing thousands of permanent jobs, plus hundreds of construction jobs.
- Helping to rejuvenate Monterey Bay as a premier destination for recreational tourism generating millions of dollars in estimated annual tax revenue, and creating tens of millions of dollars in annual gross revenues from retail, hotel, and weekly events.
- Providing educational opportunities through access to state of the art equipment and labs.
- Providing a recreational gateway to the Fort Ord National Monument.
- Preserving, restoring, and incorporating native habitats adjacent to and within the Specific Plan.

City of Seaside

- To support a project that is consistent with and furthers the goals and objectives of the Fort Ord Base Reuse Plan to replace the jobs and housing lost with the closure of the former Fort Ord.
- To support a project that meets the City's mission, vision, goals and objectives set by the City Council and the Seaside 2004 General Plan.

DRAFT CEQA FINDINGS

- To enable economic opportunities that bring higher paying jobs and generate increased revenues that will enable the City to provide quality services to its residents.
- To fulfill the City's obligation under the MOU by and between the City, the County of Monterey, and FORA for the long-term operation and maintenance of the Veterans Cemetery through sale of the "Endowment Parcel."
- To ensure that the Project provides sufficient mitigation and revenue to fund City services and infrastructure provided to the area.
- To ensure that the Project is consistent with the City's housing requirements (Chapter 17.32 of Title 17, Seaside Municipal Code).
- To ensure access to the Fort Ord Recreational Habitat Area and to the Fort Ord National Monument.
- To integrate the Project with existing and planned roadway improvements on Fort Ord and surrounding community.

County of Monterey (Central Coast Veterans Cemetery)

The Central Coast Veterans Cemetery Development Master Plan has identified the following goals and objectives for the Central Coast Veterans Cemetery.

Goal 1: Provide dignified, environmentally site-sensitive burial accommodations and infrastructure to support cemetery activities that honor and respect Veterans.

Objectives:

- 1a. Serve the interment needs of Veterans living within a 75-mile radius of the four target counties, including, Monterey, Santa Cruz, San Benito, and Santa Clara for the next 20 years with 13,838 interment sites.
- 1b. Provide a Master Plan for 100 years of future burials, desired for consideration in grant awards.
- 1c. Offer efficient and cost-effective designs.

Goal 2: Develop additional functions for the property, ancillary to burial, that honor and respect Veterans and Veterans' activities.

DRAFT CEQA FINDINGS

Goal 3: Find a manner that is appropriate to the purpose and spirit of the Cemetery, in which to create and maintain an Endowment Fund.

Objective:

- 3a. Propose development that is consistent with the policies and work of participating jurisdictional governmental agencies and entities.

California Department of Veterans Affairs Central Coast Veterans Cemetery

The California Department of Veterans Affairs has identified the purpose and objectives for the Central Coast Veterans Cemetery issued in the Draft Initial Study/Environmental Assessment. The purpose and objective of Phase 1 of the Veterans Cemetery is to implement a key objective in CalVet's Strategic Plan: Provide for deceased veterans and their families through the development and administration of additional State Veterans Cemeteries. Project-specific objectives include:

- Provide burial space for Monterey County Region veterans for the next 10 years.
- Fulfill the vision of providing a veterans cemetery at the former largest military base on the west coast, where many veterans were likely to have served.
- Create a monument to commemorate the service and sacrifice of California State Veterans.
- Incorporate the visual qualities and characteristics of the local landscape and native vegetation, working with the existing site features as much as possible, while meeting the programmatic needs.

III BACKGROUND

Fort Ord

The Project site involves approximately 2.5 percent (approximately 711 acres in the north-central portion) of the former nearly 28,000-acre Fort Ord military base. From its founding in 1917 to its official closure in 1994, Fort Ord served primarily as a training and staging facility for infantry troops. In 1991, the base was selected for decommissioning, pursuant to the Base Realignment and Closure Act of 1990. As part of the Base Realignment and Closure Act, the Army prepared several documents relating to the disposal/reuse of the military base and

DRAFT CEQA FINDINGS

establishment of the base's future land uses following its closure: Fort Ord Disposal and Reuse Final Environmental Impact Statement (FEIS) (June, 1993); Fort Ord Disposal and Reuse Draft Supplemental Environmental Impact Statement (DSEIS) (December, 1995); and the Installation-Wide Multi Species Habitat Management Plan (Habitat Management Plan) (1997).

Fort Ord Reuse Authority

The Fort Ord Reuse Authority (FORA) was created in 1994 to oversee the civilian reuse and redevelopment of the military base. FORA is responsible for the oversight of the Monterey Bay area economic recovery from the closure of and reuse planning of the former Fort Ord military base. The former Fort Ord was/is located on the California coastline near the Monterey Peninsula consisting of 45 square miles/28,000 acres.

FORA implements this legislatively mandated mission by overseeing replacement land use; assuring compliance with adopted measures; removing physical barriers to reuse; financing and constructing major components of the required infrastructure and basewide demands; and protecting identified environmental reserves. FORA exercises its planning, financing, and monitoring responsibilities under state law authority to meet these objectives in the best interest of the northern Monterey Bay community.

The Fort Ord closure announcement occurred in 1991, generating a mixture of disbelief, economic impacts and excitement about potential reuse. The Army base had been part of the history of Monterey County on the Monterey Peninsula since 1917. Within months, a series of meetings were initiated to discuss recovery from the significant closure impacts by creating a "vision" for reuse. The meetings included broad community participation including residents, businesses, government, special districts, and others. From those meetings, it was agreed that reuse should focus on Education, Environment, and Economic Development ("the three E's of Fort Ord Reuse").

Initial efforts to organize governance for reuse faltered. Senator Henry Mello (deceased) sponsored special legislation to establish a local agency charged with the task of planning, financing, and implementing reuse. That agency was entitled the "Fort Ord Reuse Authority", formed in 1994. FORA has a governing body of 13 voting members and 11 non-voting members, and is comprised of representatives from cities, the county, special districts, public educational institutions, the military, and state and federal legislators.

Fort Ord Reuse Plan

In June 1997, Fort Ord Reuse Authority adopted the Fort Ord Reuse Plan (Base Reuse Plan) to guide the development of the former military reservation. The Base Reuse Plan is the

DRAFT CEQA FINDINGS

guiding policy document for reuse and redevelopment of former Fort Ord. It provides the framework for development and redevelopment of the former military base and serves as the official local plan for base reuse.

The Base Reuse Plan envisions a long-range timeframe for redevelopment of former Fort Ord. According to the Base Reuse Plan, “the land supply is expected to accommodate growth for 40 to 60 years, depending on the land use type and future market conditions.” The Base Reuse Plan provides for a wide range of land uses - education; residential; visitor-serving; recreation; open space; habitat conservation; retail, office, commercial and light industrial; and community service facilities. It specifies the improvements that must occur and mitigation for the anticipated uses, such as replacement of old infrastructure including water and sewer systems, roads, utility and communication systems, and other infrastructure that is either antiquated, sub-standard, or both. Improvements to support regional transportation and transit systems are anticipated, as well as a reclaimed water distribution network. The Base Reuse Plan also requires that large areas for habitat conservation and management be set aside and removal of unexploded ordnance and munitions, as well as remediation of lands formerly used for military purposes.

The Base Reuse Plan broadly defines the type of uses that can occur on former Fort Ord and designates general areas where the different uses can occur. The Base Reuse Plan envisioned intensive development of the Parker Flats area. The Fort Ord Reuse Authority has the responsibility of assuring that all approved jurisdiction land use projects are consistent with the Base Reuse Plan through a “consistency determination” process.

East Garrison/Parker Flats Land Use Modification Memorandum of Understanding

This MOU applies to most, but not all, of the project site in unincorporated Monterey County. It does not apply to the project site currently in the city limits of Seaside. The parties to the December 2002 East Garrison/Parker Flats Land Use Modification Memorandum of Understanding (MOU) (also commonly referred to as the “land swap”) are the Fort Ord Reuse Authority, Monterey Peninsula College, the County of Monterey, the U.S. Bureau of Land Management, and the U.S. Army. This MOU amended the Fort Ord Reuse Plan and Fort Ord Habitat Management Plan. The terms of this MOU have been implemented in the East Garrison Specific Plan (adopted by the County of Monterey in 2006 and currently under construction) and the Central Coast Veterans Cemetery (Phase I is currently under construction), currently the only two projects subject to the MOU that have been approved since the MOU was executed. Additional planning efforts include the County of Monterey’s Fort Ord Recreational Habitat Area draft master plan, pursuant to the provisions of the Memorandum of

DRAFT CEQA FINDINGS

Understanding that provided an increase in open space. The MOU documented several land use modifications, which primarily involved relocating various land uses (i.e., relocation of Monterey Peninsula College public safety officer training facilities from East Garrison to Parker Flats) and amendments to the Habitat Management Plan, which involved changing boundaries and habitat designations of parcels in the East Garrison and Parker Flats areas (which were approved by the United States Fish and Wildlife Service). The MOU was signed by the five parties between August 2004 and December 2005. In November 2002, Fort Ord Reuse Authority signed the related Agreement Regarding Public Safety Officer Training in which the Fort Ord Reuse Authority, Monterey Peninsula College, and the County of Monterey agreed in concept to relocation of the Monterey Peninsula College public safety officer training facilities. The proposed modifications are discussed in Assessment East Garrison Parker Flats Land Use Modification Fort Ord California (2002 Assessment), which was prepared to analyze Habitat Management Plan consistency and biological resource implications of the land use modifications. The following land uses were addressed in the MOU and in amending the Habitat Management Plan:

- Relocation of the Monterey Peninsula College Emergency Vehicle Operations Center and a Practice Firing Range to Parker Flats. A Public Benefit Conveyance for this use had been approved for the East Garrison area.
- Relocation of the Monterey Horse Park to Parker Flats. At the time, the Monterey Horse Park was envisioned as a potential venue for the 2012 Olympics.
- Relocation of Housing from Parker Flats to East Garrison. According to the 2002 Assessment, the housing that was planned for the Monterey Peninsula College and Fort Ord Recreational Habitat Area parcels was to be relocated due to munitions concerns.
- Provides a Location for the Veterans Cemetery consistent with the Base Reuse Plan.
- Plans by Esselen Nation and Akicita Luta Intertribal Society to Develop Cultural and Educational Facilities are Briefly Mentioned in the 2002 Assessment.
- Relinquishment of Public Benefit Conveyance for Parcel L.20.4 by Monterey County. Public benefit conveyance for Parcel L.20.4 was relinquished by Monterey County in favor of Bureau of Land Management for consideration of permitted use of the parcel by the Sports Car Racing Association of the Monterey Peninsula.

Land uses identified within the project site subject to this MOU are Monterey Horse Park, Veterans Cemetery, Oak Woodland Habitat Reserve, and County Development Reserve.

DRAFT CEQA FINDINGS

Fort Ord Reuse Plan Reassessment

The requirement for a reassessment of the Base Reuse Plan results from a lawsuit filed by the Sierra Club against Fort Ord Reuse Authority in 1997. The settlement agreement for this lawsuit is documented as Fort Ord Reuse Authority Master Resolution Chapter 8. The Master Resolution was originally adopted on March 14, 1997 and serves as the Fort Ord Reuse Authority's bylaws. Chapter 8 was added to the Master Resolution as part of the Sierra Club lawsuit settlement, and was adopted by the Fort Ord Reuse Authority Board on November 20, 1998. It requires that the Base Reuse Plan be "reviewed periodically at the discretion of the Authority Board. The Authority Board shall perform a full reassessment, review, and consideration of the Base Reuse Plan and all mandatory elements as specified in the Authority Act prior to the allocation of an augmented water supply, or prior to the issuance of a building permit for the 6001st new residential dwelling unit (providing a total population of 35,000 persons) on the Fort Ord territory or by January 1, 2013, whichever event occurs first."

The Fort Ord Reuse Authority performed a comprehensive reassessment of the 1997 Base Reuse Plan to evaluate progress toward implementing the Base Reuse Plan and explore options related to current and future needs. The Fort Ord Reuse Authority Board formally received the Reassessment Report in December 2012. The reassessment process through December 2012 proceeded in two steps: 1) an information gathering step that was completed with publication of the Scoping Report and Market Report; and 2) preparation of the Reassessment Report, which identifies a series of topics and related potential options for modifications to the Base Reuse Plan and to Fort Ord Reuse Authority Board procedures. Fort Ord Reuse Authority Board consideration of potential options for updating the BRP began in early 2013. The Fort Ord Reuse Authority Board appointed a Post Reassessment Advisory Committee that has been meeting, usually twice a month since April 2013. Meetings have not been as frequent in 2014. As of April 2014, the Fort Ord Reuse Authority Board had not taken any action regarding changes to the 1997 Base Reuse Plan. However, the Fort Ord Reuse Authority is in the process of working with the various jurisdictions to implement Base Reuse Plan policies and programs, including preparation of regional urban design guidelines. On May 13, 2016, the Fort Ord Reuse Authority Board of Directors agreed to update the Base Reuse Plan to make corrections and reflect approvals since the Base Reuse Plan was adopted in 1997 (also known as Categories I and II in the Reassessment Report).

Central Coast Veterans Cemetery and Endowment Parcel

The Central Coast Veterans Cemetery is among the land uses provided for in the Base Reuse Plan, which identified a 178-acre parcel for the Central Coast Veterans Cemetery site. As shown in Base Reuse Plan Figure 3.3-1, a Veterans Cemetery opportunity site is shown at the

DRAFT CEQA FINDINGS

City of Seaside/County of Monterey boundary. The Seaside General Plan also identifies a Veterans Cemetery at this location. In September 2008, the County of Monterey prepared the Final Draft Development Master Plan.

California Central Coast Veterans Cemetery, Fort Ord (Cemetery Master Plan) identified an implementation strategy for construction of the Central Coast Veterans Cemetery, including an updated Cemetery Master Plan, methodologies to create an endowment fund, funding of construction, outline of required infrastructure, and considerations for biological resources. Key to the implementation strategy outlined in the Cemetery Master Plan was sale of a portion of the site to generate the required funds for the implementation plan. Analysis of the actual land area required to meet the needs of burial for the area's veterans for the next 100 years determined that the Central Coast Veterans Cemetery needed to be approximately 80 acres, freeing the remaining acres for other uses. In 2006, the State mandated (Assembly Bill (AB) 3035) that, prior to construction to cover facility costs for administration, operations, and maintenance for a period of ten years (after construction is completed). In 2010, AB 3035 was amended by AB 1757, allowing the State to proceed with pre-application for the Federal Grant, if funds sufficient for design documentation had been received. Local jurisdictions developed a strategy to meet AB 3035 requirements that involved selling a portion of the total 178-acre site that was not necessary to meet the projected burial needs. As a result, an approximately 32-acre portion of the property (Endowment Parcel) was identified. It is noted, the Endowment Parcel involves a portion of proposed Specific Plan Planning Area Residential-1 (R-1).

The Implementation Report California Central Coast Veterans Cemetery, Fort Ord (Implementation Report) was prepared in May 2011 to document the remaining issues needing resolution and build on previous planning efforts, including the Central Coast Veterans Cemetery Master Plan and Background Information Report California Central Coast Veterans Cemetery, Fort Ord.

Site Remediation

The former Fort Ord was placed on the United States Environmental Protection Agency's (U.S. EPA) National Priorities List in 1990, because of groundwater contamination associated with the former landfill. To oversee the base cleanup, the U.S. Army, the Department of Toxic Substances and Control, the Central Coast Regional Water Quality Control Board, and the U.S. EPA entered into a Federal Facility Agreement. The purpose of the Federal Facility Agreement is to ensure that the environmental impacts associated with past and present activities at former Fort Ord are thoroughly investigated and that appropriate remedial action is taken as necessary to protect public health and the environment. The Army conducted investigations and remedial actions in portions of the Project footprint. Those actions included investigations and removal of munitions and explosives of concern as well as

DRAFT CEQA FINDINGS

investigation and remedial actions to address soil contamination as part of the hazardous and toxic waste program. The environmental response actions conducted by the Army prior to property transfer are summarized in finding of suitability to transfer (FOST) or finding of suitability for early transfer (FOSET) prepared for the transfer parcels. The Project's footprint includes properties that have been described in several FOSTs and FOSETs:

- FOST6: Track 0 Parcels (May 27, 2003) (Parcel L32.4.2);
- FOST8: Track 0 and Track 0 Plug-In B Parcels (June 7, 2005) (Parcel E18.2.2);
- FOST11: Parker Flats Munitions Response Area Parcels L2.3 and L2.4.1 (July 7, 2010) (these parcels have not yet been transferred);
- FOSET2: Housing Areas and Former Garrison Parcels (December 3, 2001) (Parcel L2.4.2); and
- FOSET5: ESCA Parcels and Non-ESCA Parcels (Operable Unit Carbon Tetrachloride Plume) (November 15, 2007) (several parcels in the ESCA Parker Flats Munitions Response Area (MRA) Phases I and II, and in the ESCA County North MRA).

On March 31, 2007, the U.S. Army and Fort Ord Reuse Authority entered into an Army-funded Environmental Services Cooperative Agreement that involved cleanup/remediation of Munitions and Explosives of Concern on an approximately 3,340-acre (nine parcels) portion of former Fort Ord. In 2007, the Army awarded Fort Ord Reuse Authority funds for Munition and Explosives Cleanup to address remnant hazard safety issues resulting from previous munitions training operations conducted at the former Fort Ord. The U.S. Army retained responsibility over all other contamination issues, including groundwater, soil, and landfill concerns.

Cleanup zones within former Fort Ord have been divided into several Munitions Response Areas. The majority of the Project site is located within the Parker Flats Munitions Response Areas, while the northeast portion of the Project site is located in the County North Munitions Response Area.

On behalf of the Fort Ord Reuse Authority, the Environmental Services Cooperative Agreement Remediation Program Team prepared the Final Remedial Design/Remedial Action, Land Use Controls Implementation, and Operation and Maintenance Plan, Parker Flats Munitions Response Area Phase I that provides information on how the remedy selected in the June 24, 2008 Comprehensive Environmental Response, Compensation, and Liability Act Record of Decision for the Parker Flats Munitions Response Area Track 2 Munitions Response Site will be implemented and maintained.

DRAFT CEQA FINDINGS

The required remediation standards for the various portions of the Project site are summarized as follows:

- Northern and southern portions of the proposed Monterey Downs and Monterey Horse Park: “Non-Residential” development remediation standard required;
- Proposed Central Coast Veterans Cemetery portion: “Non-Residential” development remediation standard required;
- Western portion of the proposed Monterey Downs and Monterey Horse Park: “Residential” development remediation standard required; and
- Central portion of the proposed Monterey Downs and Monterey Horse Park: “Mixed Use” development and “Habitat Reserve” remediation standards required.

These requirements are consistent with anticipated land uses identified in the East Garrison/Parker Flats Land Use Modification Memorandum of Understanding.

According to the most recent Environmental Services Cooperative Agreement Remediation Program Progress Map, the following portions of the Project site have been cleaned/remediated:

- Southern Portion of the Proposed Monterey Downs and Monterey Horse Park (known as Parker Flats I): Portions cleaned to a “Residential” development remediation standard and portions include land use controls including a restriction against residential use.
- Central Coast Veterans Cemetery Site: Cleaned to a “Non-Residential” development remediation standard, which is sufficient for construction of a cemetery.
- Southern Portion of the Endowment Parcel (approximately 24 acres) (proposed Specific Plan Planning Area R-1): Documentation is in progress for most of the R-1 Planning Area. Portions include land use controls including a restriction against residential use.

Remedial investigation of the northern portion of the Endowment Parcel and the proposed habitat restoration area (48 acres) is pending, according to the Environmental Services Cooperative Agreement website; these areas are proposed to be cleaned to “Residential” and “Non-Residential” development remediation standards, respectively. Additionally, site remediation for all property located in the City of Seaside and the middle portion of the Monterey Downs and Monterey Horse Park is currently underway. A remedial investigation/feasibility study for the middle portion (ESCA Parker Flats MRA Phase II) has not been developed by the Fort Ord Reuse Authority. Thus, the remedy for the middle portion has not been selected. Once a remedy is selected for this portion, Fort Ord Reuse Authority will implement the selected remedy including developing a remedial design/remedial action work

DRAFT CEQA FINDINGS

plan under the Environmental Services Cooperative Agreement and with the supervision of the U.S. Environmental Protection Agency (EPA), in consultation with the California Department of Toxic Substances Control.

It is noted, according to the Fort Ord Reuse Authority FY 2013-2014 Annual Report, the planned Environmental Services Cooperative Agreement Munitions and Explosives Cleanup remediation field activities are complete, with Environmental Services Cooperative Agreement field teams having recovered munitions items and debris, and removed residual Army cultural debris. A remedial investigation/feasibility study for the middle portion (ESCA Parker Flats MRA Phase II) has not been developed by the Fort Ord Reuse Authority. Thus, the remedy for the middle portion has not been selected. Once a remedy is selected for this portion, Fort Ord Reuse Authority will implement the selected remedy including developing a remedial design/remedial action work plan under the ESCA and with the supervision of the U.S. Environmental Protection Agency, in consultation with the California Department of Toxic Substances Control. Once the Environmental Services Cooperative Agreement documentation is complete, the Army will issue proposed remedy plans and, ultimately, Records of Decision.

Monterey Downs–City of Seaside Exclusive Negotiating Agreement

On September 16, 2010, the City of Seaside, the Redevelopment Agency of the City of Seaside, and Monterey Downs, LLC (Applicant) entered into an Exclusive Negotiating Agreement for the potential development of approximately 550 acres of land on former Fort Ord. A portion of the potential development (approximately 75 acres) is located within jurisdiction of the City of Seaside and the remaining portion (approximately 475 acres) is located within unincorporated County of Monterey. Therefore, in November 2011, the City of Seaside and the County of Monterey entered into a Memorandum of Understanding for processing both environmental review and economic review for the land use entitlements and regulatory approvals required for the proposed Monterey Downs and Monterey Horse Park projects. Subsequently, because the applications request that the entire Project be developed within the City of Seaside, the Memorandum of Understanding was terminated, and the City of Seaside took on full responsibility for processing the applications.

IV NO IMPACT DETERMINATIONS IN THE EIR

The Project was determined to have no impact in the following areas. As such, detailed analyses of the following environmental resources and issues were not included in the EIR:

A. AGRICULTURAL RESOURCES

DRAFT CEQA FINDINGS

1. The Project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.
2. The Project will not conflict with existing zoning for agricultural use, or a Williamson Act Contract.
3. The Project will not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production.
4. The Project will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use.

B. BIOLOGICAL RESOURCES

1. The Central Coast Veterans Cemetery portion of the proposed Project will not impact non-Habitat Management Plan special-status plant species, as rare plant surveys did not identify any additional non-HMP special-status plant species within the Central Coast Veterans Cemetery site.
2. The Seaside Corporation Yard portion of the proposed Project will not impact non-Habitat Management Plan special-status plant species, as rare plant surveys did not identify any additional non-HMP special-status plant species within the Seaside Corporation Yard Site.
3. The Seaside Corporation Yard portion of the proposed Project will not result in indirect impacts to Habitat Management Plan or non-Habitat Management Plan special status plant and animal species.

C. CULTURAL RESOURCES

1. The Project will not cause a substantial adverse change in the significance of a historical resource.
2. The Project will not destroy a unique paleontological resource or site or unique geological feature.

D. GEOLOGY AND SOILS

1. The Project will not have soils incapable of adequately supporting the use of septic tanks or alternatives wastewater disposal systems where sewers are not available for the disposal of wastewater.

DRAFT CEQA FINDINGS

E. HAZARDS AND HAZARDOUS MATERIALS

1. The Project is not located within an airport land use plan, is not included in any airport hazard zones, and is not located within proximity to private air strips.
2. The Project will not have cumulatively considerable impacts related to airport hazards.

F. HYDROLOGY AND WATER QUALITY

1. The Project will not be susceptible to impacts related to inundation by dam failure, seiche, tsunami, or mudflow.

G. LAND USE PLANNING

1. The Project will not physically divide an established community.
2. The Project will not conflict with the Fort Ord Master Plan Greater Monterey Peninsula Area Plan's Land Use Plan, Policies, or Regulations adopted for the purpose of avoiding or mitigating an environmental effect.
3. The Project will not conflict with the Seaside General Plan's Land Use Plan, Policies, or Regulations Adopted for the purpose of avoiding or mitigating an environmental effect.
4. The Project will not conflict with the Seaside Municipal Code's Land Use Plan, Policies, or Regulations adopted for the purpose of avoiding or mitigating an environmental effect.

H. MINERAL RESOURCES

1. The Project will not result in the loss of availability of a known mineral resource that would be of value to the region or state.
2. The Project will not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

I. POPULATION AND HOUSING

1. The Project will not displace existing housing or people, necessitating the construction of replacement housing elsewhere.

J. TRAFFIC

DRAFT CEQA FINDINGS

1. The Project will not increase hazards due to a design feature.
2. The Project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

K. WASTEWATER

1. The wastewater treatment provider has the capacity to serve the Project and therefore, the Project will not require or result in the construction of new wastewater treatment facilities or expansion of existing facilities.

L. SOLID WASTE

1. The Project will comply with federal, state, and local statutes and regulations for solid waste.

V EFFECTS DETERMINED TO BE LESS THAN SIGNIFICANT WITHOUT MITIGATION IN THE EIR

The EIR found that the Project will have a less than significant impact without the imposition of mitigation on a number of environmental topic areas, listed below. A less than significant environmental impact determination was made for each of the following topic areas, based on the more expansive discussions contained in the EIR.

A. AESTHETICS

1. The Project will not have a substantial adverse effect on a scenic vista.
2. The Project will result in less than significant impacts to views from State Route 1.

B. AIR QUALITY

1. The Project will result in less than significant impacts related to exposure of sensitive receptors to substantial pollutant concentrations of carbon monoxide (CO).
2. The Project will not result in significant impacts from construction-related and operational criteria pollutant emissions that will conflict with or obstruct implementation of the applicable air quality plan.

DRAFT CEQA FINDINGS

C. BIOLOGICAL RESOURCES

1. The Seaside Corporation Yard portion of the Project will not result in significant direct impacts to Habitat Management Plan special status animal species.
2. The Project will not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

D. GEOLOGY AND SOILS

1. Development of the Project will not result in significant impacts related to exposure of people or structures to adverse effects including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault.
2. The Project will not result in significant impacts related to soil erosion, or the loss of topsoil existing visual character/quality of the site and its surroundings.
3. The Project, when combined with other cumulative development causing related impacts, will not result in significant cumulative geology and soils impacts.

E. GREENHOUSE GAS EMISSIONS

1. The Project will not conflict with an applicable greenhouse gas reduction plan, policy, or regulation.

F. HAZARDS AND HAZARDOUS MATERIALS

1. The Project operations will not create a significant hazard to the public or environment through the handling, storage, and/or use of hazardous materials, as well as accident conditions involving the release of hazardous materials.
2. The Project operations will not create a significant hazard to the public or environment through interference with an adopted emergency response or evacuation plan.
3. The Project will not result in significant hazards related to soil and groundwater contamination.
4. The Project will not result in cumulatively considerable significant impacts related to interference with an emergency response or emergency evacuation plan.

DRAFT CEQA FINDINGS

G. HYDROLOGY AND WATER QUALITY

1. The Project's short term construction impacts to water quality standards or waste discharge requirements will be less than significant.
2. The Project's short term construction impacts to water quality will be less than significant.
3. The Project's impacts to groundwater recharge will be less than significant.

H. LAND USE PLANNING

1. The Project will result in less than significant impacts related to land use incompatibilities with existing or proposed land uses.

I. NOISE

1. The Project implementation will not result in significant vibration impacts to nearby sensitive receptors.
2. The Project will not generate traffic that could significantly contribute to existing traffic noise in the area or exceed the City's established standards.
3. The Project, when combined with other cumulative development causing related noise impacts, will not result in a significant impact.

J. POPULATION AND HOUSING

1. The Project will not induce substantial population growth outside of the Project site either directly or indirectly.
2. The Project, when combined with other cumulative development causing related impacts, will not result in significant cumulative population and housing impacts.

K. SCHOOL FACILITIES

1. The Project will increase the local student population, but the environmental impact will be less than significant with the payment of State-mandated developer fees pursuant to Government Code Section 65996.
2. The Project, when combined with other cumulative development causing related impacts, will not result in significant cumulative impacts involving school facilities.

L. LIBRARIES AND PUBLIC HEALTH

DRAFT CEQA FINDINGS

1. The Project implementation will not result in substantial adverse physical impacts associated with construction of a library or public health facilities, or result in increased demands such that construction of new facilities would be warranted, which could cause significant environmental impacts.
2. The Project, when combined with other cumulative development causing related impacts, will not result in significant cumulative impacts involving libraries and health services and facilities.

M. PARKS AND RECREATION

1. The Project implementation will not include or create a demand for park facilities that could cause significant environmental impacts.
2. The Project, when combined with other cumulative development causing related impacts, will not result in significant cumulative impacts involving parks and recreational facilities.

N. TRAFFIC AND TRANSPORTATION

1. The Project will not result in a change in air traffic patterns that will result in substantial safety risks.

O. WASTEWATER

1. The Project will not result in significant impacts related to exceedance of wastewater treatment requirements of the applicable regional water quality control board.
2. The Project, when combined with cumulative projects, will not create an increased demand for wastewater facilities that could cause significant environmental impacts.

P. SOLID WASTE

1. The landfill has sufficient capacity to serve the Project and therefore, the Project will not result in significant impacts related to insufficient landfill capacity to accommodate the Project's solid waste disposal needs.
2. The Project implementation, when combined with cumulative projects, will not create increased demand for solid waste facilities that would cause significant environmental impacts.

Q. DRY UTILITIES

DRAFT CEQA FINDINGS

1. Project implementation will not require or result in the construction of new dry utilities or expansion of existing utilities, the construction of which could cause significant environmental impacts.
2. Project implementation, when combined with cumulative projects, will not create increased demand for dry utility systems that could cause significant environmental impacts.

VI SIGNIFICANT ENVIRONMENTAL IMPACTS DETERMINED TO BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The EIR identified the potential for the Project to cause significant environmental impacts in the areas of aesthetics; air quality, biological resources, cultural resources; geology and soils; hazards and hazardous materials; hydrology and water quality; land use planning; noise; fire protection; police protection; traffic and transportation; wastewater; and water. With the exception of the specific impacts as discussed in Article VII below, measures were identified that will mitigate all of these impacts to a less than significant level.

The City Council finds that the feasible Mitigation Measures for the Project identified in the Final EIR will reduce the Project's impacts to a less than significant level, with the exception of those unmitigable impacts discussed in Article VII below. The City Council adopts all of the feasible mitigation measures for the Project described in the Final EIR as conditions of approval of the Project and incorporates those into the Project.

A. AESTHETICS

The Project's impacts on visual resources that can be mitigated or are otherwise less than significant are discussed in Section 4.1, Aesthetics, of the Draft EIR. Identified impacts include short-term construction impacts to visual character and light and glare.

1. Visual Character, Short-Term Construction Impacts

The Project's construction-related activities will temporarily degrade the visual character and quality of the site and its surroundings. Graded surfaces, construction debris, construction equipment, roadway, utility, and lighting improvements, signage, and truck traffic during each construction phase will be visible from adjacent public lands. Similarly, early development phases within the Specific Plan area will experience views of graded surfaces, construction debris, construction equipment, and truck traffic during later construction phases. Therefore, the

DRAFT CEQA FINDINGS

Project's construction-related activities will temporarily degrade the visual character and quality of the site and its surrounding which is a potentially significant impact.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure imposed upon the Project mitigates impacts to less than significant levels:

AES-1: Prior to issuance of any grading permit for each development phase, a Construction Management Plan shall be submitted for review and approval by the City Engineer/Public Works Services Manager. The Construction Management Plan shall, at a minimum, indicate the equipment and vehicle staging areas, stockpiling of materials, fencing (i.e., temporary fencing with opaque material), and haul route(s). Staging areas shall be sited and/or screened in order to minimize public views to the maximum extent practicable. Construction haul routes shall minimize impacts to sensitive uses in the City.

(b) Facts in Support of Findings

Surrounding uses, from where people will or may have views to the site include California State University Monterey Bay open space, an army maintenance parcel, and the Department of the Defense office building to the north, vacant land designated for future use as the Monterey Peninsula College Emergency Vehicle Operations Center (MPC EVOC), County of Monterey Fort Ord Recreational Habitat Area (FORHA) open space, and the Fort Ord National Monument to the south, County of Monterey FORHA open space and Fort Ord National Monument to the east, and military housing to the west. The FORHA public open space includes a trail system that will be used by runners, walkers, equestrians, and mountain bikers once the property is cleaned and the County opens it to the public. The National Monument public open space also includes a trail system that is located northeast and northwest of the Gigling Road/Watkins Gate Road intersection. Due to topography and vegetation the identified land uses have intermittent to sporadic views of the Project site. The Project site is also visible to motorists traveling through and adjacent to the Project site. However, the temporary nature of construction related impacts limits visual degradation of the site as they will diminish and eventually be non-existent as the Project completes buildout. Mitigation Measure AES-1 reduces the limited, remaining potential short term impacts by requiring preparation of a Construction Management Plan for each development phase that will specify requirements for equipment and vehicle staging areas, stockpiling of materials, fencing (i.e., temporary fencing with opaque material), and haul route(s). Additionally, the Construction Management Plan will require all staging areas to be sited and screened in a manner that will minimize public views to the staging areas. Implementation of the measures required in the Construction Management Plan will

DRAFT CEQA FINDINGS

reduce the Project's temporary construction-related impacts to the visual character or quality of the site and its surroundings to less than significant.

2. Light and Glare

Implementation of the Project will create new light and glare sources on the Project site from building interiors and exterior sources that have the potential to affect nighttime views. Lighting effects are associated with the use of artificial light during the evening and nighttime hours. There are two primary sources of light: light emanating from building interiors passing through windows and light from exterior sources (i.e., street lighting, building illumination, security lighting, parking lot lighting, event lighting, and landscape lighting). Light introduction can be a nuisance to adjacent residential areas, diminish the view of the clear night sky and, if uncontrolled, can cause disturbances. Land uses such as residences are considered light sensitive, because occupants have expectations of privacy during evening hours and may be subject to disturbance by bright light sources. Potentially significant impacts from obtrusive light include spill light, glare, and sky glow.

While a number of Project features are proposed to reduce the visibility of light sources from off-site, the potential still exists for unshielded or misdirected light sources to adversely affect nighttime views, which is a potentially significant impact.

(a) Findings

Changes or alterations been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, implementation of Mitigation Measure BIO-5, discussed in Section VI C., Biological Resources in conjunction with the following Mitigation Measure mitigates impacts to less than significant levels:

AES-3 Prior to issuance of any construction permit for the Monterey Horse Park (REC-1) and Monterey Downs equestrian training facility (REC-2) Planning Areas, the Applicant shall prepare a comprehensive Lighting Plan that shall be submitted to the Seaside Planning Department for review and approval by the Board of Architectural Review. The Lighting Plan shall:

- Be prepared by a qualified engineer who is an active member of the Illuminating Engineering Society of North America (IESNA) using guidance and best practices endorsed by the International Dark Sky Association;
- Be based on a Photometric Study prepared by a qualified engineer who is an active member of the IESNA and provided as an attachment to the Lighting Plan;

DRAFT CEQA FINDINGS

- Provide the specific technical data and performance criteria used as the basis for the Lighting Plan;
- Demonstrate that the illumination levels are the maximum allowed by Seaside Municipal Code Section 17.30.070, Outdoor Lighting.
- Direct views of all lighting sources downward.
- Demonstrate that lighting in the Monterey Horse Park (REC-1) and Monterey Downs equestrian training facility (REC-2) Planning Areas do not result in spill light onto the OS Planning Area.

The Applicant shall be responsible for implementation of the Lighting Plan.

(b) Facts in Support of Findings

Given the proximity between the proposed recreational uses in the REC-1 and REC-2 Planning Areas, nighttime lighting generated by the proposed Monterey Horse Park, equestrian training track, and sports arena could create glare and spill light onto the FORHA property to the east, and OS Planning Area, which is an approximately 73-acre native oak woodland habitat preserve (Oak Oval). Additionally, glare would be produced during evening and nighttime hours by automobile headlights, as they travel to/from these facilities. However, the potential glare and spill light impacts would occur only during events that involve illuminating an outdoor facility at night. Once the nighttime event is concluded and lighting is turned off, the impacts of obtrusive light would no longer be present. Nighttime lighting generated by the proposed Monterey Horse Park, equestrian training track, sports arena, and tennis/swim center could produce a visible light haze/glow that would be seen above each respective facility and reduce the ability to view the darkened nighttime sky. The potential sky glow impacts would occur only during events that involve illuminating an outdoor facility at night. To minimize potential impacts involving spill light and glare, all future development would be subject to compliance with Specific Plan Section 7.5, Lighting Standards, and SMC Section 17.03.070, Outdoor Lighting. Specific Plan Section 7.5 specifies the following lighting standards for exterior lighting throughout the Specific Plan area:

- Private and public light fixtures will be designed to prevent light-spillover onto adjacent properties and to prevent light pollution of the night-sky. For example, all exterior floodlights, pole lights, and carriage lights shall include shielding in a manner such that all the luminous flux falls upon either the surface of the structure to be illuminated or on the ground wholly on the property on which it is installed.
- Private and public light fixtures shall be architecturally compatible with the overall design of buildings, and used to reinforce community design and identity.

DRAFT CEQA FINDINGS

- All night lighting should have a warm, incandescent appearance, except where dictated otherwise by the utility company; “cool” light sources, such as mercury vapor and low or high-pressure sodium lights, shall not be visible from major streets and preferably should not be used. Illuminated areas shall be localized as much as possible. Light fixtures that broadcast light over large areas, or which are a source of glare, are not permitted.
- Outdoor lighting should be designed to minimize the impact of artificial lighting on night-time skies.

SMC Section 17.03.070 requires that lighting fixtures be properly directed, recessed, and/or shielded (e.g., downward and away from adjacent properties) to reduce light bleed and glare onto adjacent properties or right-of-way.

Additionally, Mitigation Measure BIO-5 requires implementation of Borderland Requirements including a landscaping and lighting plan which requires low intensity, focused, and directional light located as far from the urban/wildland interface as possible to preclude lighting impacts to adjacent habitat management areas. Mitigation Measure AES-3 requires the preparation of a comprehensive lighting plan in compliance with SMC Section 17.30.070, which specifies lighting requirements such as trajectory and illumination levels that will reduce the potential for off-site light spillover, glare, sky glow, and related light and glare impacts to less than significant.

B. AIR QUALITY

The Project’s potential impacts on air quality that can be mitigated or are otherwise less than significant are discussed in Section 4.2, Air Quality, of the Draft EIR. Potential impacts identified include short-term construction emissions and exposure of a substantial number of people to odorous emissions

1. Short-Term Construction Emissions

Implementation of the Project will result in short-term temporary air quality impacts from particulate (fugitive dust) emissions from grading and building construction and exhaust emissions from construction equipment and the construction crew’s motor vehicles. The unmitigated PM₁₀ concentrations will be 143.56 lbs/day for Year 1 (2015), 85.18 lbs/day for Year 6 (2020), and 148.65 lbs/day for Year 7 (2021) which exceeds Monterey Bay Unified Air Pollution Control District, recently renamed Monterey Air Resources District, (Air District) thresholds of 82 lbs/day. The violation of air quality standards or substantial contribution to existing or projected air quality violations is a potentially significant impact. Additionally, while thresholds are not available, construction emissions of ROG, NO_x, and PM_{2.5} could also result in potentially significant impacts.

DRAFT CEQA FINDINGS

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure imposed upon the Project mitigates impacts to less than significant levels:

AQ-1 Implement Fugitive Dust Control Measures. The Project Applicant shall not exceed Air District screening thresholds by limiting areas of active disturbance to no more than 2.2 acres per day for initial site preparation activities that involve extensive earth moving activities (grubbing, excavation, rough grading), or 8.1 acres per day for activities that involve minimal earth moving (e.g., finish grading) during all phases of construction activities. If the Project requires that grading and excavation exceed those acreages, the Project Applicant shall implement the following fugitive dust control measures:

- Water all active construction areas at least twice daily (alternatively chemical dust suppressants or windbreaks may be used);
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard;
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
- Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets;
- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more);
- Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.);
- Limit traffic speeds on unpaved roads to 15 mph;
- Install appropriate best management practices or other erosion control measures to prevent silt runoff to public roadways;
- Replant vegetation in disturbed areas as quickly as possible;

DRAFT CEQA FINDINGS

- Install wheel washers or track-out devices for all exiting trucks and equipment leaving the site;
- Limit the area subject to excavation, grading and other construction activity at any one time;
- Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints (the person shall respond to complaints and take corrective action within 48 hours); and
- Ensure that the phone number of the Air District is visible to the public for compliance with Rule 402 (Nuisance).

AQ-2 Vehicle Emission Reduction Measures. Prior to issuance of any Grading Permit, the Seaside Public Works Services Manager and Building Official shall confirm that the grading plan, building plans, and specifications stipulate that all off-road construction vehicles/equipment greater than 100 horsepower that will be used on site for more than one week shall: 1) be manufactured during or after 1996, and 2) shall meet the NOX emissions standard of 6.9 grams per brake-horsepower hour. Alternatively, the Project shall implement a combination of the following emission reduction measures on the above described vehicles and equipment:

- Require diesel particulate matter filters on equipment;
- Require diesel oxidation catalyst on equipment;
- Install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors);
- Enforce state required idle restrictions (e.g., post signs). Diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate or other bulk materials. Rotating drum concrete trucks may keep their engines running continuously as long as they were onsite and staged away from residential areas;
- Properly tune and maintain equipment; and
- Stage large diesel-powered equipment at least 100 feet from any active land uses (e.g., residences).

DRAFT CEQA FINDINGS

(b) Facts in Support of Findings

Mitigation Measure AQ-1, requires adherence to Monterey Bay Unified Air Pollution Control District grading limits, Rule 402, and other dust control techniques which will allow for a maximum mitigated particulate matter concentration of 81.14 pounds per day (lbs/day) for PM¹⁰ in 2021. This brings the particulate matter concentrations below Air District thresholds for PM¹⁰. Although the Air District does not have thresholds for PM^{2.5}, NOX, or ROG, adherence to best management practices and implementation of Mitigation Measure AQ-1, discussed above, and AQ-2, which requires implementation of vehicle emission reduction measures, will reduce impacts from PM^{2.5}, NOX, and ROG to a less than significant level.

2. Exposure to Odorous Emissions

The Monterey Horse Park (REC-1 Planning Area) and Monterey Downs equestrian training facility (REC-2 Planning Area) are considered potentially significant sources of odors from horse manure.

(a) Findings

Changes or alterations been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure imposed upon the Project mitigates impacts to less than significant levels:

AQ-3 Preparation of an Equestrian Management Plan. Prior to issuance of occupancy permits for any equestrian related facility, the Project Applicant shall consult with the Monterey Bay Unified Air Pollution Control District, as well as submit to, and receive approval from, the City of Seaside Planning Division for an Equestrian Management Plan that addresses and includes measures to control objectionable odors. The Equestrian Management Plan is required to include the following:

Erosion Control

- Pasture Management
- Site Drainage
- Slope Stabilization
- Horse Specific Best Management Practices

Water Quality/Runoff Mitigation

- Roof Runoff

DRAFT CEQA FINDINGS

- Facility Runoff

General Housekeeping

- Manure Management
- Pest Management
- Wash Rack Design
- Trash/Debris Collection
- Hazardous Waste Disposal
- Dust Control
- Winterization

Emergency/Fire Safety

- Access
- Emergency Preparedness

The following are the minimum requirements that shall be included in the Equestrian Management Plan:

- Clean up manure and soiled beddings daily and place in properly designed manure storage area.
- Manure storage areas shall have a concrete (or similar) bottom and shall be covered during rain.
- Provide berm or other design solution to keep runoff away from manure storage areas.
- Manure from manure storage areas shall be disposed of weekly, preferable to a facility that will reuse for fertilizer or for mushroom farming.
- Direct run-off away from corrals, paddocks, arenas, waste storage facilities and other areas that are likely to contain horse waste or be void of vegetation.
- Provide grass filter strips, bio-swales or other LID facilities around and downstream of high-use areas.
- During dry months, lightly water high use areas to minimize dust.

DRAFT CEQA FINDINGS

By incorporating the applicable performance standards listed above and outlined in Mitigation Measure HYD-2 and Mitigation Measure BIO-5 (Borderland Requirements), the Equestrian Management Plan shall address best management practices (BMPs), including proper installation/maintenance procedures, for odor control, manure/weed control, and runoff pollution site design/source control/treatment control in compliance with National Pollutant Discharge Elimination System standards and Environmental Protection Agency/Regional Water Quality Control Board rules/regulations pertaining to water quality/Concentrated Animal Feeding Operations at the time of design/construction.

(b) Facts in Support of Findings

Mitigation Measure AQ-3 requires consultation with the Monterey Bay Unified Air Pollution Control District and development and implementation of an approved Equestrian Management Plan that addresses and includes measures to control objectionable odors to the standards as described in Mitigation Measure AQ-3. Additionally, AQ-3 requires compliance with the Environmental Protection Agency and the Regional Water Quality Control Board rules and regulations pertaining to water quality and Concentrated Animal Feeding Operations at time of design and construction as well as incorporation of National Pollutant Discharge Elimination System standards where appropriate which will reduce potential impacts to a less than significant level.

C. BIOLOGICAL RESOURCES

The Project's impacts and potential impacts on biological resources that can be mitigated or are otherwise less than significant are discussed in Section 4.3, Biological Resources, of the Draft EIR. Potential impacts identified include direct and indirect impacts to Habitat Management Plan and non-Habitat Management Plan Special Status plant and animal species.

Monterey Downs and Monterey Horse Park

For purposes of this discussion, the term "Monterey Downs" refers to the following Planning Areas: R-1, R-2, R-3, RM, C-1, C-2 and REC-2. "Monterey Horse Park" refers to REC-1 Planning Area.

1. Direct Impacts to Habitat Management Plan Special Status Plant Species (Hooker's manzanita, Toro manzanita, sandmat manzanita, Monterey ceanothus, and Eastwood's golden fleece) (Monterey Downs and Monterey Horse Park).

Development of Monterey Downs and the Monterey Horse Park will result in direct impacts to the following Habitat Management Plan special status plant species: Hooker's manzanita (0.02 AC); Toro manzanita (0.01 AC); Sandmat manzanita (122.43 SF); Monterey ceanothus (57.44

DRAFT CEQA FINDINGS

AC); and Eastwood's golden fleece (65.97 SF). Because no take authorization is required from the U.S. Fish and Wildlife Service or the California Department of Fish and Wildlife, the impacts to these species would be considered less than significant. However, the Habitat Management Plan and the Biological Opinion require identification of sensitive biological resources such as these special-status plants that may be salvaged for use in restoration activities in habitat management areas.

(a) Findings

Changes or alterations have been required in the Project to ensure this environmental effect as identified in the Draft EIR remains less than significant. Specifically, the following Biological Compliance Measure from the Habitat Management Plan is required to ensure impacts remain less than significant.

BIO/COMP-1 Habitat Management Plan Plant Species Salvage. For proposed impacts to the Fort Ord Habitat Management Plan plant species within the Project site that do not require take authorization from California Department of Fish & Wildlife or U.S. Fish & Wildlife Service, salvage efforts for these species shall be evaluated by a qualified biologist in coordination with Project Proponent, California Department of Fish & Wildlife, and U.S. Fish & Wildlife Service per the Habitat Management Plan requirements and Biological Opinion. Prior to commencement of vegetation removal and grading for the first development area within the Project site, an updated rare plant survey shall be performed and a salvage plan shall be prepared and implemented by a qualified biologist, in coordination with Project Proponent, California Department of Fish & Wildlife, and U.S. Fish & Wildlife Service, which shall include, but not be limited to: a description and evaluation of salvage opportunities and constraints for the entire site; the appropriate methods and protocols of salvage and relocation efforts; identification of relocation and restoration areas; and identification of qualified biologists approved to perform the salvage efforts, including the identification of any required collection permits from California Department of Fish & Wildlife and/or U.S. Fish & Wildlife Service. Seeds shall be collected during the appropriate time of year for each species by qualified biologists. The salvaged plants and collected seeds shall be used to revegetate temporarily disturbed construction areas as well as any other on or offsite reseeding and restoration efforts in habitat management areas, as determined appropriate in the salvage plan.

(b) Facts in Support of Findings

Habitat Management Plan BIO/COMP-1 requires identification of sensitive biological resources including Hooker's manzanita, Toro manzanita, sandmat manzanita, Monterey ceanothus, and Eastwood's golden fleece through the completion of an updated rare plant survey. Additionally,

DRAFT CEQA FINDINGS

preparation and implementation of a salvage plan will be required that employs the use of salvaged plants to revegetate temporarily disturbed construction areas as well as any other on or offsite reseeding and restoration efforts in habitat management areas. This measure ensures there is not a significant loss of special status plant species individuals that would impact the population and that impacts to Hooker's manzanita, Toro manzanita, sandmat manzanita, Monterey ceanothus, and Eastwood's golden fleece are less than significant.

2. Direct Impacts to Habitat Management Plan Special Status Plant Species (Monterey Spineflower and Sand Gilia) (Monterey Downs and Monterey Horse Park)

Construction activities associated with Monterey Downs and Monterey Horse Park will result in direct impacts to threatened or federally endangered Habitat Management Plan plant species including the Monterey spineflower (41.33 AC) and sand gilia (1.86 AC). The Fort Ord Reuse Authority is currently in the process of obtaining an Incidental Take Permit which would allow the base-wide take of federal and state endangered or threatened species. If construction occurs prior to approval of the base-wide Incidental Take Permit any direct loss of the Monterey spineflower and sand gilia will be a significant impact.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measures imposed upon the Project mitigates impacts to less than significant levels:

BIO-1 Impacts to Monterey Spineflower and Sand Gilia. The Project Proponent shall implement the following measures during site design phase for each development:

- Monterey spineflower and sand gilia individuals and populations shall be avoided through Project design and modification, to the extent feasible while taking into consideration other site and engineering constraints; or
- If impacts to Monterey spineflower and sand gilia cannot be avoided, in compliance with the Federal Endangered Species Act and the California Endangered Species Act, and as required by the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service, incidental take permits for these species shall be obtained prior to issuance of grading permits for each development. Permit requirements typically involve preparation and implementation of a mitigation plan and mitigating impacted habitat at a 3:1 ratio through preservation and/or restoration. The mitigation plan would include, but is not limited to, identifying avoidance and minimization measures;

DRAFT CEQA FINDINGS

a take assessment; compensatory mitigation lands and success criteria; and funding assurances.

- Alternatively, ground-disturbing activities for each development may be delayed until the Fort Ord Habitat Conservation Plan is approved and base-wide state incidental take permits are issued. If this alternative is chosen, Project-specific incidental take permits shall not be necessary; however, all applicable Habitat Conservation Plan requirements shall be implemented.

BIO-2 Construction Best Management Practices. The following best management practices shall be written into construction permit documentation and implemented during construction to reduce impacts to special-status plant and wildlife species:

- A qualified biologist shall conduct an Employee Education Program for the construction crew prior to any construction activities on the following items: 1) the appropriate access route(s) in and out of the construction area and review of Project boundaries; 2) how a biological monitor shall examine the area and agree upon a method which shall ensure monitor safety during such activities, 3) the special-status species that may be present; 4) the specific mitigation measures that shall be incorporated into the construction effort; 5) the general provisions and protections afforded by the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service; and 6) the proper procedures if a special-status species is encountered within the Project site.
- Trees and vegetation not planned for removal or trimming, shall be protected prior to and during construction to the maximum extent feasible through the use of exclusionary fencing, such as hay bales for herbaceous and shrubby vegetation, and protective wood barriers for trees. Only certified weed-free straw shall be used to avoid the introduction of non-native, invasive species. A biological monitor shall supervise the installation of protective fencing and monitor at least once per week until construction is complete to ensure that the protective fencing remains intact.
- Grading, excavating, and other activities shall utilize standard erosion control techniques to minimize erosion and sedimentation.
- No firearms shall be allowed within areas under construction, except for law enforcement and authorized security personnel.
- All food-related and other trash shall be disposed of in closed containers and removed from the Project area at least once a week during the construction

DRAFT CEQA FINDINGS

period, or more often if trash is attracting avian or mammalian predators. Construction personnel shall not feed or otherwise attract wildlife to the area.

- Following construction, disturbed areas shall be restored to pre-Project contours to the maximum extent feasible and revegetated using locally-occurring and salvaged native plants/seeds and native erosion control seed mix, per the recommendations of a qualified biologist.

BIO-3 Construction-Phase Monitoring. Prior to the start of construction activities, the Project Proponent shall retain a qualified biologist to monitor all ground disturbing activities (i.e., vegetation removal, grading, excavation, or similar activities) to protect any special-status species encountered. Any handling and relocation protocols of special-status wildlife species shall be determined in coordination with U.S. Fish and Wildlife Service prior to any ground disturbing activities, and conducted by a qualified biologist with appropriate scientific collection permit. After ground disturbing activities are complete, the qualified biologist shall train an individual from the construction crew to act as the onsite construction biological monitor. The construction biological monitor shall be the contact for any special-status wildlife species encounters, shall conduct daily inspections of equipment and materials stored onsite and any holes or trenches prior to the commencement of work, and shall ensure that all installed fencing stays in place throughout the construction period. The qualified biologist shall then conduct regular scheduled and unscheduled visits to ensure the construction biological monitor is satisfactorily implementing all appropriate mitigation protocols. Both the qualified biologist and the construction biological monitor shall have the authority to stop and/or redirect Project activities to ensure protection of resources and compliance with all environmental permits and Project conditions. The qualified biologist and the construction monitor shall complete a daily log summarizing activities and environmental compliance throughout the Project's construction phase. The log shall also include any special-status wildlife species observed and relocated.

BIO-4 Non-Native, Invasive Species Controls. The following measures shall be written into construction permit documentation and implemented during construction to reduce the introduction and spread of non-native, invasive species:

- Any landscaping or replanting required for the Project shall not use species listed as noxious by the California Department of Food and Agriculture. California Invasive Plant Council (<http://www.cal-ipc.org/ip/inventory/index.php>), and Fort Ord Weed Management Group (*Recommendations for Invasive Plant Species to Control on the Former Fort Ord, February 2013*).

DRAFT CEQA FINDINGS

- Bare and disturbed soil shall be landscaped with California Department of Food and Agriculture recommended seed mix or locally-occurring and salvaged native plants/seeds and native erosion control seed mix, per the recommendations of a qualified biologist, to preclude the invasion on noxious weeds in the Project site. Examples of local sources of appropriate seed mixes include, but are not limited to, Return of the Native Nursery, Watershed Institute Nursery, California State University at Monterey Bay, and Bureau of Land Management/Fort Ord National Monument (BLM/FONM).
- Construction equipment shall be cleaned of mud or other debris that may contain invasive plants and/or seeds and inspected to reduce the potential of spreading noxious weeds, before mobilizing to arrive at the construction site and before leaving the construction site.
- All non-native, invasive plant species shall be removed from disturbed areas prior to replanting.

BIO-5 Implement Borderland Requirements. Borderland requirements shall be implemented prior to issuance of any grading permit within Army Parcel Number E19a.3, which consists of Planning Areas Monterey Horse Park (REC-1), Monterey Downs equestrian training facility (REC-2), commercial (C-2), multifamily residential (RM), and veterans cemetery (VC).

The Project Proponent shall prepare a Fire Protection/Management Plan for Planning Areas Monterey Horse Park (REC-1), Monterey Downs equestrian training facility (REC-2), commercial (C-2), multi-family residential (RM) and the veterans cemetery (VC) and submit to the City of Seaside Planning Division and Fire Department for approval prior to approval of final maps for Army Parcel Number E19a.3. The Fire Protection/Management Plan shall include the following measures:

- Establish and maintain fuelbreaks. Fuelbreaks shall be established within Borderlands and habitat management areas, which include the parcels adjacent to the Bureau of Land Management Natural Resource Management Area and adjoining habitat areas (within Army Parcel Number E19a.3, which consists of Planning Areas Monterey Horse Park (REC-1), Monterey Downs equestrian training facility (REC-2), commercial (C-2), multi-family residential (RM), and veterans cemetery (VC). Fuelbreaks shall be located at the urban/wildland interface (not necessarily at the parcel boundary), shall be installed on the Borderland parcel (not in the adjacent habitat management area), and shall be contiguous. The fuelbreak's size shall be determined by fire-wise planning. Fuelbreaks or fuel buffers (e.g., parking areas, irrigated lawns/fairways, or

DRAFT CEQA FINDINGS

cleared land) must be incorporated into the boundary plans for Borderland parcels. The following measures shall be required as part of fuelbreak establishment and maintenance:

- Establish fuelbreaks within existing roads and trails to the extent possible.
 - Conduct maintenance of fuelbreaks during summer months to the maximum extent possible within potential California tiger salamander upland habitat to avoid impacts on this species.
 - Maintain fuelbreaks necessary to support a prescribed burn or to contain a potential wildfire to the habitat management areas, not for other uses.
 - Remove vegetation with hand tools, chainsaws, ASV equipment, or tractor operated mowers where possible.
 - Manage cut vegetation to avoid impacts on Habitat Management Plan species. Within potential California tiger salamander habitat, do not pile cut vegetation for longer than three months. Cut vegetation or burn or grind in place during the wet season.
 - Limit placement of chipped vegetation in areas cleared for fuelbreaks to allow for reestablishment of annual Habitat Management Plan plant species.
 - Avoid mowing or use of heavy equipment in maintaining fuelbreaks during the wet season.
 - Maintain fuelbreaks to ensure fuel loads are kept low enough to prevent the spread of fire.
- Establish and maintain fuel management buffer to protect habitat management areas and property. Borderland parcels shall establish a fuel management buffer between the development's edge and the habitat management area boundaries.
 - Invasive Species Control: The Project Proponent shall implement the following measures and incorporate these measures into final development plans within Army Parcel Number E19a.3, which consists of Planning Areas Monterey Horse Park (REC-1), Monterey Downs equestrian training facility (REC-2), commercial (C-2), multi-family residential (RM), and veterans cemetery (VC); and submit to the City of Seaside Planning Division for approval prior approval of final maps.

DRAFT CEQA FINDINGS

- Conduct an access assessment to identify necessary access controls for Borderland parcels. In some cases, structures including fences or other appropriate barriers may be required within the new development parcel to control access into the habitat management areas. An assessment of access issues and necessary controls shall be completed as part of the planning process for Borderland parcels and submitted to the City of Seaside for review and approval, prior to development, and shall include review through the Coordinated Resource Management and Planning Program. Signs, interpretive displays, trailhead markers, or other information shall be installed and maintained at the urban/wildland interface that illustrate the adjacent habitat management area's importance and prohibit trespass, motor vehicle entry, dumping of trash or yard wastes, off-leash pets, capture or harassment of wildlife, the collection of Habitat Management Plan plant species, and other unauthorized activities.
- Incorporate non-native species control features into final site design. Detention ponds, ornamental lakes, and other water features associated with new development shall be sited as far from the urban/wildland interface as possible. Suitable barriers shall be located between these features and the habitat management area boundary to prevent these features from becoming "sinks" for Habitat Management Plan animal species, as well as sources for invasive non-natives that could then move into the adjacent habitat management area.
- If detention ponds, artificial ponds or other water bodies must be located at the urban/wildland interface, a specific management program addressing control of non-native animals (e.g., bullfrogs) shall be prepared and submitted to the governing jurisdiction for review and approval, including review through the Coordinated Resource Management and Planning Program prior to development. The governing jurisdiction shall require that the Project Proponent design detention basins to drain rapidly after a storm event so that these water features minimize attracting breeding of nonnative California tiger Salamander and other invasive species, such as bullfrogs. Design features shall be subject to review and approval by the U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, and City of Seaside. Stormwater system design shall be part of an approved stormwater pollution prevention program

DRAFT CEQA FINDINGS

- All proposed permanent aquatic features shall be designed with the ability to be drained if necessary to control invasion by invasive aquatic species.
- Consistent with Base Reuse Plan Objective A, Biological Resources Policy A-1, Program A-1.2, a suitable barrier shall be constructed where vehicle access would occur along the urban/wildland interface where habitat in the Borderlands no longer exists and where this interface comes within 1 kilometer of a known California tiger salamander breeding pool, unless California tiger salamander absence has been demonstrated using the survey protocol approved by Fish and Wildlife Service and Department of Fish and Wildlife, or if Fish and Wildlife Service determines this barrier is unlikely to substantially minimize take of California tiger salamander.
- Landscaping and Lighting: The Project Proponent shall prepare a landscaping and lighting plan for approval by the City of Seaside Planning Division prior to approval of final maps. The landscaping and lighting plans shall incorporate the following measures into the final development plans within Army Parcel Number E19a.3, which consists of Planning Areas Monterey Horse Park (REC-1), Monterey Downs equestrian training facility (REC-2), commercial (C-2), multi-family residential (RM), and veterans cemetery (VC):
 - Landscaping within the Borderlands (within Army Parcel Number E19a.3, which consists of Planning Areas Monterey Horse Park (REC-1), Monterey Downs equestrian training facility (REC-2), commercial (C-2), multi-family residential (RM), and veterans cemetery (VC) shall consist of native or non-invasive non-native plant species. Any landscaping or replanting required for the Project shall not use species listed as noxious by the California Department of Food and Agriculture.
 - During construction activities, artificial lighting shall be limited at the urban/wildland interface.
 - Outdoor lighting associated with new development shall be low intensity, focused, and directional to preclude night illumination of the adjacent habitat management area. Outdoor lighting shall be placed as far from the urban/wildland interface as possible given safety constraints. Public facilities such as ball parks and fields that require high intensity night lighting (i.e., flood lights) shall be sited as far from the urban/wildland interface as possible. High-intensity lighting facing the habitat

DRAFT CEQA FINDINGS

management areas shall be directional and as low to the ground as possible to minimize long distance glare.

The Project Proponent shall prepare a Water Quality Management Plan, or functional equivalent, prior to approval of final development plans. Storm water detention/retention features shall also be included in the Construction Drawings to mitigate impacts of changes in imperviousness, as identified in the site-specific hydrology study. The Water Quality Management Plan shall include Best Management Practices designed to collect, detain, treat, infiltrate/evapotranspire, and discharge runoff onsite before discharging into the City storm drain system. To the maximum extent practical, storm water quality treatment shall be provided with infiltration. The treatment methods shall include but are not limited to: infiltration wells, infiltration basins, high-efficiency planter boxes, and surface planting areas.

Additionally, stormwater detention basins or other water features created on the property shall be designed so that they do not attract breeding California Tiger Salamander, unless designed to function as a population source, which shall be determined through consultation with Fish and Wildlife Service and Department of Fish and Wildlife. Accordingly, the eventual number of adult California tiger salamander produced at the site must exceed mortality such that breeding effort is not wasted. If California tiger salamanders are found on the property, the owner shall work with the Coordinated Resource Management and Planning Program to implement monitoring and management actions as necessary.

The Project Proponent shall provide education materials. The following Borderland requirements shall be implemented for the Monterey Horse Park Planning Area (REC-1) and Monterey Downs equestrian training facility Planning Areas: (REC-2), commercial (C-1), commercial (C-2), multi-family residential (RM), (residential) R-1, residential (R-2), residential (R-3), open space (OS) and public facilities (PF):

- Prior to construction activities, the City shall provide educational materials to property owners in Borderland parcels.
- The City shall provide annual educational materials (e.g., newsletters) to all new property owners in Borderland parcels, to ensure compliance with design and management requirements.
- Prior to issuance of occupancy permit(s), the Project Proponent shall install interpretive signage at aquatic features accessible to the public regarding the environmental consequences of releasing non-native species into aquatic features.

DRAFT CEQA FINDINGS

(b) Facts in Support of Findings

Mitigation Measure BIO-1 requires avoidance of the Monterey spineflower and sand gila during development when feasible. If impacts to Monterey spineflower and sand gila cannot be avoided, in compliance with the Federal Endangered Species Act and the California Endangered Species Act, and as required by the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service, incidental take permits for these species shall be obtained prior to issuance of grading permits for each development. Permit requirements typically involve preparation and implementation of a mitigation plan and mitigating impacted habitat at a 3:1 ratio through preservation and/or restoration. The preservation and protection of Monterey spineflower and sand gila through impact avoidance or providing the appropriate compensatory mitigation in consultation with the appropriate permitting agencies as required by BIO-1, serves to prevent a loss in the number of Monterey spineflower and sand gila individuals which will reduce impacts to less than significant.

Mitigation Measure BIO-2 requires implementation of best management practices during construction including an employee education program for the construction crew, protection of trees and vegetation not planned for removal, erosion control techniques, and restoration of disturbed areas using locally-occurring salvaged native plants/seeds to further ensure that the loss and/or disturbance of these species is limited. Mitigation Measure BIO-3 requires construction monitoring by a qualified biologist during all ground disturbance activities to protect any Monterey spineflower and sand gila encountered. Mitigation Measure BIO-4 requires implementation of non-native species controls including landscaping of disturbed soils with native species, requirements for cleaning construction equipment that may contain invasive species, and removal of non-native species from disturbed areas, which will preclude the introduction of invasive species that may damage the Monterey spineflower and sand gila. The combination of protective measures required by BIO-2 through BIO-4, including education, monitoring/avoidance, and invasive species controls minimize the potential for the loss or disturbance of these special status species thereby reducing potential impacts to less than significant.

Additionally, implementation of Borderland requirements set forth in Mitigation Measure BIO-5, which require a combination of fuelbreak maintenance, access controls, non-native species controls, erosion and sedimentation control, and education will serve to prevent the disturbance or destruction of special status plant species to further reduce the potential impacts to these species.

DRAFT CEQA FINDINGS

3. Direct Impacts to Non-Habitat Management Plan Special Status Plant Species (Kellogg's Horkelia) (Monterey Downs and Monterey Horse Park)

Development of Monterey Downs and the Monterey Horse Park could result in potentially significant direct impacts to the Kellogg's horkelia (0.01 AC), which is a non-Habitat Management Plan special-status plant species within the Monterey Downs residential and commercial areas.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure imposed upon the Project mitigates impacts to less than significant levels:

BIO-6 Avoidance of impacts to Kellogg's horkelia within the Monterey Downs residential (R-1, R-2, R-3, and RM) Planning Areas and commercial (C-1 and C-2) Planning Areas.

- Impacts to individuals shall be avoided through Project design and modification, to the extent feasible while taking into consideration other site and engineering constraints; or
- If avoidance is not feasible, the area of impacted species shall be replaced at a 1:1 ratio through preservation, restoration, or combination of both. A Rare Plant Restoration Plan, which outlines the success criteria for implementation, shall be prepared and implemented by a qualified biologist and submitted to the City of Seaside for approval prior to issuance of a grading permit. The plan shall include, but not be limited to, the following:
 - A detailed description of onsite and/or offsite mitigation areas, salvage of seed and/or soil bank, plant salvage, seeding, and planting specifications, including, if appropriate, increased planting ratio to ensure the applicable success ratio. Specifically, seed shall be collected from the onsite individuals that shall be impacted and grown in a local greenhouse, and then transplanted within the mitigation area. Plants shall be transplanted with a minimum five-gallon specimen tree and in a location approved by the board of architectural review in order to develop a good root system.
 - A description of a three-year monitoring program, including specific methods of vegetation monitoring, data collection and analysis, restoration goals and objectives, success criteria, adaptive management if

DRAFT CEQA FINDINGS

the criteria are not met, reporting protocols, and a funding mechanism shall be prepared.

- The mitigation area shall be preserved in perpetuity through a conservation easement or other legally enforceable land preservation agreement. Exclusionary fencing shall be installed around the mitigation area to prevent disturbance until success criteria have been met.

(b) Facts in Support of Findings

Implementation of Mitigation Measure BIO-6 requires avoidance of impacts to Kellogg's horkelia individuals through Project design or modification to the extent feasible. Where avoidance is not feasible impacted areas must be replaced, preserved, or restored at a 1:1 ratio. Additionally a qualified biologist must prepare and implement a Rare Plant Restoration Plan that will include monitoring, success criteria, adaptive management, and identification of a funding mechanism. Successful avoidance or implementation of compensatory mitigation in conjunction with implementation of the Rare Plant Restoration Plan will ensure that destruction or loss of Kellogg's horkelia populations will be limited and that potential impacts are reduced to less than significant.

4. Direct Impacts to Habitat Management Plan Special Status Animal Species (Monterey Ornate Shrew, California Legless Lizard) (Monterey Downs and Monterey Horse Park)

Development of Monterey Downs and the Monterey Horse Park could result in significant direct impacts to the following Habitat Management Plan special-status animal species, which have the potential to occur within the Monterey Horse Park (REC-1) Planning Area, residential (R-1, R-2, R-3, and RM) Planning Areas, commercial (C-1 and C-2) Planning Areas: the Monterey ornate shrew and the California legless lizard. Take authorization from the U.S. Fish and Wildlife Service or the California Department of Fish and Wildlife is not required for take of the ornate shrew and California legless lizard. Therefore, impacts to these species will be less than significant. Nevertheless, the Habitat Management Plan and the Biological Opinion require identification of sensitive biological resources that may be salvaged for use in restoration activities in habitat management areas. It is unlikely that salvaging Monterey ornate shrews would be appropriate/successful due to their high metabolic rate and cryptic nature; therefore, impacts to this species remain less than significant given that a take permit from the resource agencies is not required. Salvage of California legless lizards has been proven effective and successful; therefore, Measure BIO/COMP-2 requires pre-construction surveys and salvage of any detected individuals before and during vegetation removal, grading, and construction activities.

DRAFT CEQA FINDINGS

(a) Findings

Changes or alterations have been required in the Project to ensure this environmental effect as identified in the Draft EIR remains less than significant. Specifically, the following Biological Compliance Measure from the Habitat Management Plan is required to ensure impacts remain less than significant.

BIO/COMP-2 Salvage/Relocation Measures for California Legless Lizard. Prior to commencement of vegetation removal and grading for the first development area within the Project site, the Project Proponent shall retain a qualified biologist to prepare and implement a legless lizard salvage/relocation plan in coordination with DFW, which shall include, but not be limited to, the protocols for pre-construction surveys, construction monitoring, and salvage and relocation. The DFW must be notified at least 48 hours before any field activity begins. The plan shall include, but not be limited to, the following:

- Pre-Construction Surveys. Pre-construction surveys for legless lizards shall be conducted in all suitable habitat proposed for construction, ground disturbance, or staging. The qualified biologist shall hold or obtain a DFW scientific collection permit for this species. The preconstruction surveys shall use a method called “high-grading.” High grading samples the habitat where legless lizards are most likely to be found, and the survey must occur under the conditions when legless lizards are most likely to be seen and captured (early morning, high soil moisture, overcast, etc.). The intensity of a continued search may then be adjusted, based on the first survey’s results in the best habitat.

A “three pass method” shall be used to locate and remove as many legless lizards as possible. A first pass shall locate as many legless lizards as possible, a second pass should locate fewer lizards than the first pass, and a third pass should locate fewer lizards than the second pass. All search passes shall be conducted in the early morning when legless lizards are easiest to capture. Vegetation may be removed by hand to facilitate hand raking and search efforts for legless lizards in the soil under brush. If lizards are found during the first pass, an overnight period of no soil disturbance must occur before the second pass, and the same requirement shall be implemented after the second pass. If no lizards are found during the second pass, a third pass is not required. Installation of a barrier, in accordance with the three pass method, may be required if legless lizards are found at the limits of construction (Project boundaries) and sufficient soft sand and vegetative cover are present to suspect additional lizards are in the immediate vicinity on the adjacent property. A barrier would prevent movement

DRAFT CEQA FINDINGS

of legless lizards into the property. All lizards discovered shall be handled according to the salvage procedures outlined below.

- Construction Monitoring. Monitoring by a qualified biologist shall be ongoing during construction. The onsite monitor shall be present during all ground-disturbing construction activities. To facilitate the careful search for lizards during construction, vegetation may need to be removed. If removal by hand is impractical, equipment such as a chainsaw, string trimmer, or skid-steer may be used, if a monitor and crew are present. The equipment shall be used to remove plants under the monitor's direction, allowing the monitor to watch for legless lizards. After plants are removed, the monitor and crew shall search the exposed area for legless lizards. If legless lizards are found during construction monitoring, the protocols for salvage and relocation identified below shall be followed.
- Salvage and Relocation. Only experienced persons may capture or handle legless lizards. The monitor shall demonstrate a basic understanding, knowledge, skill, and experience with this species and its habitat. Once captured, a lizard shall be placed in a lidded, vented box containing clean sand. Areas of moist and dry sand need to be present in the box. The boxes shall be kept out of direct sunlight and protected from temperatures over 72°F. The sand shall be kept at temperatures under 66°F. Ideal temperatures are closer to 60°F. On the same day as capture, the lizards shall be examined for injury and data recorded on location where found as well as length, color, age, and tail condition. Once data is recorded, lizards shall be relocated to appropriate habitat, as determined through coordination with the DFW, qualified biologist, and potential landowners.

Suitability of habitat for lizard release shall be evaluated and presented in the plan. The habitat shall contain habitat factors most important to the species' health and survival, such as appropriate habitat based on soils, vegetated cover, native plant species providing cover, plant litter layer and depth, soil and ambient temperature, quality and composition of invertebrate population and prey availability. Potential relocation sites that contain the necessary conditions may exist within the habitat reserves on the former Fort Ord, including the Fort Ord National Monument. Release for every lizard shall be recorded with GPS.

- Upon completion of pre-construction surveys, construction monitoring, and any resulting salvage and relocation actions, a report shall be submitted to the DFW. GPS locations shall be submitted, as part of the survey result report, to document the number and locations of lizards relocated.

DRAFT CEQA FINDINGS

(b) Facts in Support of Findings

It is unlikely that salvaging Monterey ornate shrews would be appropriate/successful due to their high metabolic rate and cryptic nature; therefore, impacts to this species remain less than significant given that a take permit from the resource agencies is not required. Regarding the California legless lizard however, Habitat Management Plan BIO/COMP-2 requires that the Project proponent retain a qualified biologist to prepare and implement a legless lizard salvage/relocation plan in coordination with the California Department of Fish and Wildlife that will include protocol for pre-construction surveys, construction monitoring, and salvage and relocation. Pre-construction surveys will allow for the biologist to relocate as many legless lizards as possible before construction to prevent the loss of these individuals when construction activities commence. Construction monitoring will facilitate the salvage and relocation of any legless lizards that may be found after construction has commenced. Implementation of BIO/COMP-2 will reduce the loss of individuals and thereby reduce impacts to the legless lizard population to less than significant..

5. Direct Impacts to Habitat Management Plan Special Status Animal Species (California Tiger Salamander) (Monterey Downs and Monterey Horse Park)

Development of Monterey Downs and the Monterey Horse Park could result in significant direct impacts to the California tiger salamander, which is a Habitat Management Plan special-status animal species and has the potential the potential to occur within the REC-1 and REC-2 Planning Areas, If construction occurs prior to issuance of the base-wide Incidental Take Permit, any direct (or indirect) impacts to California tiger salamander, which is a federal and state listed threatened species, would be considered a significant impact.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, BIO-2 and BIO-5, previously discussed, and the following Mitigation Measure imposed upon the Project mitigate impacts to less than significant levels:

BIO-7 Avoidance and Minimization Measures for California Tiger Salamander. For construction activities proposed within potential California tiger salamander upland habitat in the Monterey Horse Park (REC-2), Monterey Downs Planning Areas (REC-2), commercial (C-1, C-2), multi-family residential (RM), residential (R-1, R-2, R-3), open space (OS) and public facilities (PF), excluding Seaside corporation yard site, and Oak Oval (see Figure 4.3-5, Upland CTS Habitat within Monterey Downs - DFW Analysis) and in the Central Coast Veterans Cemetery (see Figure 4.3-6, Upland CTS Habitat within CCVC - DFW Analysis), one of the following measures shall be implemented:

DRAFT CEQA FINDINGS

1. In compliance with the Federal Endangered Species Act and California Endangered Species Act, and as required by the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service, incidental take permits for California tiger salamander shall be obtained prior to issuance of any grading permit for the Monterey Horse Park (REC-2), Monterey Downs Planning Areas (REC-2), commercial (C-1, C-2), multi-family residential (RM), residential (R-1, R-2, R-3), open space (OS) and public facilities (PF), excluding Seaside corporation yard site, Oak Oval, and Central Coast Veterans Cemetery. Permit requirements typically involve preparation and implementation of a mitigation plan and mitigating impacted habitat at a 3:1 ratio through preservation and/or restoration. The mitigation plan shall include, but is not limited to, identifying avoidance and minimization measures; a take assessment; compensatory mitigation lands and success criteria; and funding assurances; or,
2. Alternatively, ground-disturbing activities for each development may be delayed until the Fort Ord Habitat Conservation Plan is approved and base-wide federal and state incidental take permits are issued. If this alternative is chosen, Project-specific, individual incidental take permits shall not be required; however, all applicable Habitat Conservation Plan requirements shall be implemented.

(b) Facts in Support of Finding

Mitigation Measure BIO-2 requires implementation of best management practices during construction, including an employee education program for the construction crew on the proper procedures if a special-status species is encountered within the Project site, to reduce the potential for the loss and/or disturbance of the California tiger salamander. Additionally, implementation of Borderland requirements set forth in Mitigation Measure BIO-5 reduce California tiger salamander mortality rates by requiring the careful design of detention ponds and stormwater detention basins or other water features so that they do not attract breeding California tiger salamanders, unless the water feature is designed to function as a population source. Additionally, management programs to control non-native animals that may negatively impact salamander populations will be implemented. Mitigation Measure BIO-7 requires that the Project proponent obtain an incidental take permit prior to the issuance of grading permits in compliance with the Federal Endangered Species Act and the California Endangered Species Act. This permit requires implementation of a mitigation plan and the mitigation of impacted habitat at a 3:1 ratio to ensure that there is no overall loss of salamander habitat. Alternatively, the proponent may delay ground disturbing activities until the Fort Ord Habitat Conservation Plan is approved and base-wide incidental take permits are issued. If this alternative is chosen, all Habitat Conservation Plan requirements for the protection of the California tiger salamander must be implemented. Implementation of BIO-2, BIO-5, and BIO-7 will minimize the loss of

DRAFT CEQA FINDINGS

California tiger salamander individuals and habitat through pre-construction surveys, education, construction monitoring, construction work limitations, and avoidance or appropriate compensatory mitigation, such that impacts to the California tiger salamander populations will be less than significant.

6. Direct Impacts to Non-Habitat Management Plan Special Status Animal Species (Pallid Bat, Townsend's Big-eared Bat, Hoary Bat, Monterey Dusky-footed Woodrat, Monterey Ornate Shrew, American Badger, Cooper's Hawk, Burrowing Owl, White-tailed Kite, California Horned Lark) (Monterey Downs, Monterey Horse Park, and Oak Oval Habitat Preservation Area)

Development of the Monterey Downs and Monterey Horse Park could disturb coast live oak woodland habitat and result in the removal of mature coast live oak trees that may provide roosting habitat for special-status bat species, which would be considered significant impacts. The site also contains suitable habitat for additional special status species including the Monterey dusky-footed woodrat (i.e., coast live oak woodland and central maritime chaparral), American badger (i.e., non-native grassland, central coastal scrub/non-native grassland mix, and ruderal habitat in close proximity to these habitats), and coast horned lizard (i.e., central coastal scrub and central maritime chaparral) which could be impacted by development. Additionally, the coast live oak woodland habitat provides suitable nesting habitat for tree-nesting raptors and migratory birds. Other ground-nesting birds may nest in non-native grassland, maritime chaparral, or central coastal scrub. Impacts to any of these special status animal species are potentially significant.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, BIO-2, BIO-3, and BIO-4, previously discussed, in addition to the following Mitigation Measures imposed upon the Project mitigates impacts to less than significant levels:

BIO-8 Pre-Construction Surveys for Special-Status Bats. To avoid and reduce impacts to hoary bat and other special-status bat species, the Project Proponent shall retain a qualified bat specialist or wildlife biologist to conduct a survey during the reproductive season (May 1 through September 15) to characterize bat utilization of the work site (and up to 100 feet of construction limits) and potential species present (techniques utilized shall be determined by the biologist) no more than 30 days prior to removal of any vegetation or building or any other suitable roosting habitat. Based on the results of this pre-construction survey, one or more of the following shall occur:

- If bats and/or bat signs are not present, no additional mitigation is required.

DRAFT CEQA FINDINGS

- If bats and/or bat signs are observed, removal of trees, buildings, or other suitable habitat may proceed after the bats have been safely excluded from the roost. Exclusion techniques shall be determined by the biologist and depend on the roost type; the biologist shall prepare a mitigation plan for provision of alternative habitat to be approved by U.S. Department of Fish and Wildlife prior to commencement of bat exclusion activities.
- If bats and/or bat signs are observed that are associated with a maternity roost, an appropriate no-disturbance buffer shall be imposed within which no construction activities or disturbance shall take place (buffer width shall be determined by biologist) until the biologist monitoring the roost determines that the young have fledged and are no longer dependent on the roost. The monitor shall ensure that all bats have left the area of disturbance prior to initiation of limbing and/or removal of trees. If avoidance is not feasible and a maternity roost must be disrupted, written authorization from California Department of Fish and Wildlife would be required prior to “take” of the roost.

BIO-9 Pre-Construction Surveys for Monterey Dusky-Footed Woodrat. To avoid and reduce impacts to the Monterey dusky-footed woodrat, the Project Proponent shall retain a qualified biologist to conduct a survey in suitable habitat proposed for construction, ground disturbance, or staging within three days prior to these activities to search for woodrat nests within the Project area and in a buffer zone 100 feet out from the limit of disturbance. All woodrat nests observed within the work site (and up to 25 feet of construction limits) shall be flagged for avoidance of direct construction impacts, where feasible. Nests that cannot be avoided shall be manually deconstructed by a qualified biologist prior to land clearing activities to allow animals to escape harm. If a litter of young is found or suspected, nest material shall be replaced, and the nest left alone for two-three weeks before a re-check by a qualified biologist to verify that young are capable of independent survival before proceeding with nest dismantling.

BIO-10 Pre-Construction Surveys for American Badger. To avoid and reduce impacts to the American badger, the Project Proponent shall retain a qualified biologist to conduct a focused pre-construction survey for badger dens in all suitable habitat proposed for construction, ground disturbance, or staging no more than two weeks prior to construction. If no potential badger dens are present, no further mitigation is required. If potential dens are observed, the following measures shall be implemented to avoid potential significant impacts to the American badger:

- If the qualified biologist determines that potential dens are inactive, the biologist shall excavate these dens by hand with a shovel to prevent badgers from re-using them during construction.

DRAFT CEQA FINDINGS

- If the qualified biologist determines that potential dens may be active, the den entrances shall be blocked with soil, sticks, and debris for three to five days to discourage their use, prior to site disturbance. The den entrances shall be blocked to an incrementally greater degree over the three to five day period. After the qualified biologist determines that badgers have stopped using active dens within the Project boundary, the dens shall be hand-excavated with a shovel to prevent re-use during construction.

BIO-11 Pre-Construction Surveys for Protected Avian Species. Construction activities that may directly (e.g., vegetation removal) or indirectly (e.g., noise/ground disturbance) affect protected nesting avian species shall be timed to avoid the breeding and nesting season. Specifically, vegetation and/or tree removal can be scheduled after September 16 and before January 31. If construction occurs between February 1 and September 15, a qualified biologist shall be retained by the Project Proponent to conduct a pre-construction survey for nesting raptors and other protected avian species within 500 feet of proposed construction activities. The pre-construction survey shall be conducted no more than 14 days prior to the start of construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). As determined necessary by a qualified biologist, surveys for nesting birds may be required to continue during construction to address new arrivals and unique species breeding seasons. The necessity and timing of these continued surveys shall be determined by the qualified biologist based on review of the final construction plans and in coordination with the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service, as needed.

If raptors or other protected avian nests are identified during the above surveys, the qualified biologist shall notify the Project Proponent and an appropriate no-disturbance buffer shall be imposed within which no construction activities or disturbance shall take place (generally 500 feet in all directions for raptors; other avian species may have species-specific requirements) until the young have fledged and are no longer reliant upon the nest or parental care for survival, as determined by the biologist.

BIO-12 Avoidance and Minimization Measures for Burrowing Owl. In order to avoid impacts to active burrowing owl nests, a qualified biologist shall conduct pre-construction surveys in suitable habitat within the construction footprint and within 250 feet of the footprint no more than 30 days prior to the start of construction. If ground disturbing activities are delayed or suspended for more than 30 days after the pre-construction survey, the site shall be resurveyed. The survey shall conform to the California Department of Fish and Wildlife 1995 Staff Report protocol. If no burrowing

DRAFT CEQA FINDINGS

owls are found, no further mitigation is required. If it is determined that burrowing owls occupy the site during the non-breeding season (September 1 through January 31), then a passive relocation effort (e.g., blocking burrows with one-way doors and leaving them in place for a minimum of three days) may be necessary to ensure that the owls are not harmed or injured during construction. Once it has been determined that the owls have vacated the site, the burrows can be collapsed, and ground disturbance can proceed.

If after completion of the pre-construction passive relocation effort described above, new occupied burrows become established within the construction footprint or immediately adjacent lands (i.e., within 250 feet of the footprint) during construction activities within the breeding season (February 1 to August 31), a construction-free buffer of 250 feet shall be established around all active owl nests. The buffer area shall be enclosed with temporary fencing, and construction equipment and workers shall not enter the enclosed setback areas. Buffers shall remain in place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents. After the breeding season, passive relocation of any remaining owls may take place as described above.

(b) Facts in Support of Finding

The majority of the project site -that which contains oak woodland-contains suitable habitat for special status bat species. Mitigation Measure BIO-8 requires preconstruction surveys for potential roost sites of special status bats. If bats or signs of bats are found, removal of trees, buildings, or other suitable habitat will not be permitted until the bats have been safely excluded from the roost. If maternity roosts or signs thereof are observed, an appropriate no-disturbance buffer must be established, within which no construction activities can occur. Implementation of these measures will reduce the potential for special-status species bat and bat young mortality during construction by avoiding contacts with them or acts which disturb them such that potential impacts to the special status bat population would be less than significant. Mitigation Measures BIO-2 and BIO-3, previously discussed, require implementation of best management practices during construction and construction-phase monitoring during any ground disturbing activities to protect any special status species encountered. These measures further ensure that any potential impacts to pallid bats and Townsend's big-eared bats that may be detected during vegetation removal, grading, and construction activities are reduced to less than significant through a combination of protective measures during all construction phases, including education and monitoring/avoidance.

The majority of the project site -that which contains oak woodland- contains suitable habitat for the dusky-footed woodrat and American badger. Mitigation Measure BIO-9 requires a pre-construction survey for dusky-footed woodrat nests within three days prior to ground disturbance activities. All woodrat nests must be flagged for avoidance when feasible. Nests that

DRAFT CEQA FINDINGS

cannot be avoided during construction must be manually deconstructed by a qualified biologist prior to land disturbing activities. If a litter is found, the nest material must be replaced and nest left alone until young are capable of independent survival. Implementation of this measure will allow for avoidance or preservation of the woodrat and woodrat young during construction activities and will limit woodrat mortality such that impacts to the dusky-footed woodrat will be less than significant.

Mitigation Measure BIO-10 requires a pre-construction survey for American badger dens and similar avoidance and exclusion measures to reduce the potential for badger mortality during construction thus reducing potential impacts to the American badger to less than significant. Additionally, implementation of Mitigation Measures BIO-2, BIO-3, and BIO-4, previously discussed, will further ensure that impacts to Monterey dusky-footed woodrats and American badgers that may be detected during vegetation removal, grading, and construction activities are less than significant through a combination of protective measures during all construction phases, including education and monitoring/avoidance and invasive species controls that protect these special status species and their habitat.

The entire Specific Plan area contains suitable habitat for the coast horned lizard. Mitigation Measures BIO-2, BIO-3, and BIO-4 require a combination of protective measures during all phases of construction, including education, monitoring/avoidance, and invasive species controls which will limit mortality of coast horned lizard individuals and destruction of habitat thereby reducing potential impacts to the coast horned lizard to less than significant.

The Migratory Bird Treaty Act protects the majority of migratory birds breeding in the U.S, including the burrowing owl, Cooper's hawk, White-tailed kite, California horned lark, and other raptor and migratory avian species, regardless of their official federal or state listing status. The law applies to the disturbance or removal of active nests occupied by migratory birds during their breeding season. The majority of the Specific Plan area provides nesting habitat for protected avian species. Mitigation Measures BIO-11 and BIO-12, require pre-construction nest surveys, non-disturbance buffers, nest monitoring during construction, and passive relocation (for burrowing owls only), if avoidance is not feasible, which will ensure that nesting birds are not disturbed during construction and that young are able to fledge. This will result in a reduction for the potential for nest abandonment and mortality of protected avian species thereby reducing the potential for impacts to protected avian species to less than significant. Implementation of Mitigation Measures BIO-2 and BIO-3 will further ensure that impacts to any protected avian species that may be detected during vegetation removal, grading, and construction activities are reduced to less than significant through a combination of protection measures during phases of construction, including education and monitoring/avoidance to limit exposure to construction activities.

DRAFT CEQA FINDINGS

7. Indirect Impacts to Habitat Management Plan and Non-Habitat Management Plan Special Status Plant and Animal Species (Monterey Downs, Monterey Horse Park, and Oak Oval Habitat Preservation Area)

Development of the Monterey Horse Park, Monterey Downs, and Oak Oval Habitat Preservation Area has the potential to indirectly affect Habitat Management Plan and non-Habitat Management Plan special-status plant and animal species within the adjacent habitat management areas. Damaging effects may include vandalism, dumping of trash, trampling, mountain bike use, equestrian use, and off-road vehicle use; runoff from adjacent streets and landscaped areas containing lawn fertilizer, pesticides, and vehicle waste (petroleum byproducts); introduction of invasive non-native species; off-trail activity resulting in habitat destruction and/or fragmentation and spread of invasive species; unregulated movement of domestic animals; and a lack of barriers to special-status species entering developed areas, which may result in individual mortality; nighttime lighting and noise; and increased traffic on area roads leading to potential increases in roadkill. These post-construction indirect effects to special-status species are potentially significant impacts.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, Mitigation Measure BIO-5, previously discussed, in addition to the following Mitigation Measure imposed upon the Project mitigates impacts to less than significant levels:

BIO-13 Post-Construction Indirect Effects to Special-Status Species. The following Project design features shall be implemented prior to grading permit issuance within the Monterey Horse Park, Monterey Downs, the Central Coast Veterans Cemetery, and Oak Oval, to ensure compliance with relevant Base Reuse Plan Policies and Programs: Conservation Element (Policy A-5, Program B-2.1, Program C-2.5, Policy C-3, Program D-2.1, and Program D-2.3); Base Reuse Plan Land Use Element Program B-2.5 and Policy E-1; and Base Reuse Plan Recreation and Open Space Element Policy C-2.

- In accordance with Base Reuse Plan Conservation Element Biological Resources Policy A-5, the County shall ensure that habitat management areas as identified on Figure 4.3-4 are protected from degradation due to development in, or use of adjacent parcels within its jurisdiction. This could be accomplished, for example, through the use of signs and barriers prohibiting dumping of trash, mountain bike use, equestrian use, off-road vehicle use and off-trail activities within adjacent habitat management areas.

DRAFT CEQA FINDINGS

- In accordance with Base Reuse Plan Conservation Element Biological Resources Program B-2.1, for lands that are components of the designated oak woodland conservation (Fort Ord BRP Figure 4.4-1) area, these areas must be managed to maintain or enhance suitable habitat for the range of sensitive species known or expected to use those oak woodland environments. Management measures shall include, but not be limited to, maintenance of a large, contiguous block of oak woodland habitat, access control, erosion control, and non-native species eradication. Specific management measures shall be coordinated through the Coordinated Resource Management and Planning Program.
- Appropriate barriers shall be installed along the development area boundaries adjacent to habitat management areas (see Fort Ord BRP Figure 4.3-4) to discourage unregulated movement of people and pets into habitat management areas not identified as recreational areas; and to discourage unregulated movement of special-status species into developed areas.
- In accordance with Base Reuse Plan Conservation Element Biological Resources Program C-2.5, paving shall be avoided within the dripline of preserved oak trees wherever possible. To minimize paving impacts, the surfaces around tree trunks shall be mulched, paving materials shall be used that are permeable to water, aeration vents shall be installed in impervious pavement, and root zone excavation shall be avoided.
- In accordance with Base Reuse Plan Conservation Element Biological Resources Policy C-3, lighting of outdoor areas shall be minimized and carefully controlled to maintain habitat quality for wildlife in undeveloped natural lands. Street lighting shall be as unobtrusive as practicable adjacent to undeveloped natural lands. See Borderland requirements (Mitigation Measure BIO-5) regarding artificial lighting.
- In accordance with Base Reuse Plan Conservation Element Biological Resources Program D-2.1, interpretive signs shall be placed in habitat management areas (see Fort Ord BRP Figure 4.3-4) to describe the resources that are present, how they are important to the former Fort Ord, and ways in which these resources are or can be protected.
- In accordance with Base Reuse Plan Conservation Element Biological Resources Program D-2.3, where development would be adjacent to habitat management areas, corridors, oak woodlands, or other reserved open space, Project Proponents shall prepare a Homeowner's Brochure, which describes the adjacent land areas' importance and provides recommendations for landscaping (use of

DRAFT CEQA FINDINGS

natives) and wildfire protection, as well as measures for protecting wildlife and vegetation in the adjacent habitat management areas such as access and pet controls.

- Where feasible, buffers shall be established inside development area boundaries adjacent to habitat management areas to reduce noise levels associated with urban uses. Buffers may be landscaped (using local native plants) or paved (parking areas). According to Base Reuse Plan Land Use Element Program B-2.5, when buffers adjacent to habitat management areas are required as a condition of Project approval, the buffer shall be designed in a manner consistent with Habitat Management Plan guidelines. Roads shall not be allowed within buffer areas adjacent to habitat management areas except for restricted access maintenance or emergency access roads.
- In accordance with Base Reuse Plan Land Use Element Recreation/Open Space Land Use Policy E-1, recreation in environmentally sensitive areas (such as areas with rare, endangered, or threatened plant or animal communities) shall be limited to passive, low-intensity recreation dependent on the resource and compatible with its long-term protection.
- In accordance with Base Reuse Plan Recreation and Open Space Element Recreation Policy C-2, all proposed recreational uses shall be reviewed for compatibility with the adopted Habitat Management Plan to ensure long-term protection of sensitive resources. Recreational uses would be prohibited if the Fort Ord Reuse Authority Board finds that such uses could compromise the ability to maintain and preserve an environmentally sensitive resource.
- Speed limit signs shall be installed to reduce travel speeds for the increased number of vehicles using the area roadways, with the goal of reducing roadkills.

(b) Facts in Support of Finding

Mitigation Measure BIO-13 requires compliance with Base Reuse Plan Conservation Element Biological Resources Policies A-5, B-2.1, C-2.5, C-3, and D-2 and the implementation of project design features such as barriers adjacent to habitat management areas, controlled outdoor lighting buffers, etc. These design features would prevent potentially damaging activities within habitat management areas that could degrade sensitive habitat areas and indirectly impact special status plant and animal species. Implementation of this measure would reduce potential impacts to less than significant. Additionally, implementation of the Borderland requirements set forth in Mitigation Measure BIO-5, previously discussed, will further reduce the Project's indirect impacts to sensitive biological resources such as special-status animal species in the

DRAFT CEQA FINDINGS

adjacent habitat management areas to less than significant by preventing disturbance to such species and their habitat through a combination of fuelbreak maintenance, access controls, non-native species controls, lighting controls, erosion and sedimentation reduction, and education.

Central Coast Veterans Cemetery

For purposes of this discussion, the term “Central Coast Veterans Cemetery” refers to the VC Planning Area.

8. Direct Impacts to Habitat Management Plan Special Status Plant Species (Hooker’s manzanita, sandmat manzanita, Monterey ceanothus) (Central Coast Veterans Cemetery)

Development of the Central Coast Veterans Cemetery could result in direct impacts to the following Habitat Management Plan special status species, which have the potential to occur within the Central Coast Veterans Cemetery VC Planning Area: Hooker’s manzanita (approximately 25 SF), sandmat manzanita (75 SF), and Monterey ceanothus (13 SF). Take authorization from the U.S. Fish and Wildlife Service or the California Department of Fish and Wildlife is not required for take of Hooker’s manzanita, sandmat manzanita, or Monterey ceanothus. Therefore, impacts to these species will be less than significant. Nevertheless, the Habitat Management Plan and the Biological Opinion require identification of sensitive biological resources that may be salvaged for use in restoration activities in habitat management areas.

(a) Findings

Changes or alterations have been required in the Project to ensure this environmental effect as identified in the Draft EIR remains less than significant. Specifically, the following Biological Compliance Measure from the Habitat Management Plan is required to ensure impacts remain less than significant.

BIO/COMP-1 HMP Plant Species Salvage. For proposed impacts to the Fort Ord Habitat Management Plan (HMP) plant species within the Project site that do not require take authorization from California Department of Fish & Wildlife (DFW) or U.S. Fish & Wildlife Service (FWS), salvage efforts for these species shall be evaluated by a qualified biologist in coordination with Project Proponent, DFW, and FWS per the HMP requirements and Biological Opinion (BO). Prior to commencement of vegetation removal and grading for the first development area within the Project site, an updated rare plant survey shall be performed and a salvage plan shall be prepared and implemented by a qualified biologist, in coordination with Project Proponent, DFW, and FWS, which shall include, but not be limited to: a description and evaluation of salvage opportunities and constraints for the entire site; the appropriate methods and

DRAFT CEQA FINDINGS

protocols of salvage and relocation efforts; identification of relocation and restoration areas; and identification of qualified biologists approved to perform the salvage efforts, including the identification of any required collection permits from DFW and/or FWS. Seeds shall be collected during the appropriate time of year for each species by qualified biologists. The salvaged plants and collected seeds shall be used to revegetate temporarily disturbed construction areas as well as any other on or offsite reseeded and restoration efforts in habitat management areas, as determined appropriate in the salvage plan.

(b) Facts in Support of Findings

Habitat Management Plan BIO/COMP-1 requires identification of sensitive biological resources including Hooker's manzanita, sandmat manzanita, and Monterey ceanothus through the completion of an updated rare plant survey. Additionally, preparation and implementation of a salvage plan is required that will use salvaged plants to revegetate temporarily disturbed construction areas as well as any other on or offsite reseeded and restoration efforts in habitat management areas which serves to ensure there is not a significant loss of individuals that would impact the population. BIO/COMP-1 ensures impacts to Hooker's manzanita, sandmat manzanita, and Monterey ceanothus are less than significant.

9. Direct Impacts to Habitat Management Plan Special Status Plant Species (Monterey spineflower) (Central Coast Veterans Cemetery)

Construction activities within the VC Planning Area could result in direct impacts to one federally threatened Habitat Management Plan plant species, Monterey spineflower (approximately 9.0 AC). If Project approval and construction occurs prior to issuance of the base-wide Incidental Take Permits, any direct loss of Monterey spineflowers would be considered a significant impact.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, implementation of BIO-1, BIO-2, BIO-3 and BIO-4, previously discussed, imposed upon the Project mitigates impacts to less than significant levels.

(b) Facts in Support of Finding

Mitigation Measure BIO-1 requires avoidance of the Monterey spineflower during development when feasible. If impacts to Monterey spineflower cannot be avoided, in compliance with the Federal Endangered Species Act and the California Endangered Species Act, and as required by the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service, incidental

DRAFT CEQA FINDINGS

take permits for these species shall be obtained prior to issuance of grading permits for each development. Permit requirements typically involve preparation and implementation of a mitigation plan and mitigating impacted habitat at a 3:1 ratio through preservation and/or restoration. Mitigation Measure BIO-1 provides for the preservation and protection of Monterey spineflower by avoiding the impact or providing the appropriate compensatory mitigation in consultation with the appropriate permitting agencies which will reduce the potential for the loss of Monterey spineflower individuals thereby reducing this impact to less than significant. Implementation of Mitigation Measures BIO-2, BIO-3, and BIO-4 will further ensure that any potential impacts to Monterey spineflowers that may be detected during vegetation removal, grading, and construction activities are reduced to less than significant through a combination of protective measures during all phases of construction, including education, monitoring/avoidance, and invasive species controls.

10. Direct Impacts to Habitat Management Special Status Animal Species (Monterey ornate shrew, California legless lizard) (Central Coast Veterans Cemetery)

Development of the Central Coast Veterans Cemetery could result in direct impacts to the following Habitat Management Plan special status species, which have the potential to occur within the Central Coast Veterans Cemetery VC Planning Area due to presence of suitable habitat: the Monterey ornate shrew (within non-native grassland, coast live oak woodland, central coastal scrub, and central maritime chaparral habitats) and California legless lizard (within central coastal scrub, central coastal scrub/non-native grassland mix, non-native grassland, central maritime chaparral, and coast live oak woodland habitats). Take authorization from the U.S. Fish and Wildlife Service or the California Department of Fish and Wildlife is not required for take of the Monterey ornate shrew or California legless lizard. Therefore, impacts to these species would be less than significant. Nevertheless, the Habitat Management Plan and the Biological Opinion require identification of sensitive biological resources that may be salvaged for use in restoration activities in habitat management areas. It is unlikely that salvage of the Monterey ornate shrew would be appropriate or successful due to their high metabolic rate and cryptic nature; therefore impacts to these species remain less than significant given that a take permit is not required. However, salvage of California legless lizards have been proven effective and successful and thus mitigation must be imposed for this species.

(a) Findings

Changes or alterations have been required in the Project to ensure this environmental effect as identified in the Draft EIR remains less than significant. Specifically, BIO/COMP-2, previously discussed, is required to ensure impacts remain less than significant.

DRAFT CEQA FINDINGS

(b) Facts in Support of Findings

Habitat Management Plan BIO/COMP-2 requires that the Project proponent retain a qualified biologist to prepare and implement a legless lizard salvage/relocation plan in coordination with the California Department of Fish and Wildlife that will include protocol for pre-construction surveys, construction monitoring, and salvage and relocation. Pre-construction surveys will allow for the biologist to relocate as many legless lizards as possible before construction to prevent the loss of these individuals when construction activities commence. Construction monitoring will facilitate the salvage and relocation of any legless lizards that may be found after construction has commenced. Implementation of BIO/COMP-2 will reduce the potential for the loss of legless lizard individuals and thus reduce impacts to the legless lizard population to less than significant.

11. Direct Impacts to Habitat Management Special Status Animal Species (California tiger salamander) (Central Coast Veterans Cemetery)

Development of the Central Coast Veterans Cemetery could disturb potential upland habitat of the California tiger salamander, a federal and state listed threatened species, as a result of vegetation removal and other construction activities. If Project approval and construction occurs prior to issuance of the base-wide Incidental Take Permit, any direct impact to California tiger salamander would be considered a significant impact.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, implementation of BIO-2, BIO-5, and BIO-7, previously discussed, imposed upon the Project mitigates impacts to less than significant levels.

(b) Facts in Support of Finding

Mitigation Measure BIO-2 requires implementation of best management practices during construction, including an employee education program for the construction crew on the proper procedures if a special-status species is encountered within the Project site, to reduce the potential for the loss and/or disturbance of the California tiger salamander. Additionally, implementation of Borderland requirements set forth in Mitigation Measure BIO-5 reduce California tiger salamander mortality rates by requiring the careful design of detention ponds and stormwater detention basins or other water features so that they do not attract breeding California tiger salamanders, unless the water feature is designed to function as a population source. Additionally, management programs to control non-native animals that may negatively impact salamander populations will be implemented. Mitigation Measure BIO-7 requires that the Project proponent obtain an incidental take permit prior to the issuance of grading permits in

DRAFT CEQA FINDINGS

compliance with the Federal Endangered Species Act and the California Endangered Species Act. This permit requires implementation of a mitigation plan and the mitigation of impacted habitat at a 3:1 ratio to ensure that there is no overall loss of salamander habitat. Alternatively, the proponent may delay ground disturbing activities until the Fort Ord Habitat Conservation Plan is approved and base-wide incidental take permits are issued. If this alternative is chosen, all Habitat Conservation Plan requirements for the protection of the California tiger salamander must be implemented. Implementation of BIO-2, BIO-5, and BIO-7 will minimize the loss of California tiger salamander individuals and habitat through pre-construction surveys, education, construction monitoring, construction work limitations, and avoidance or appropriate compensatory mitigation, such that impacts to the California tiger salamander populations will be less than significant.

12. Direct Impacts to Non-Habitat Management Plan Special Status Animal Species (pallid bat, Townsend's big-eared bat, Monterey duskey-footed woodrat, American badger, coast horned lizard, protected avian species)(Central Coast Veterans Cemetery)

Development of the Central Coast Veterans Cemetery could disturb coast live oak woodland habitat and possibly result in the removal of mature coast live oak trees that may provide roosting habitat for special-status bat species, such as the pallid bat and Townsend's big-eared bat, which would be considered significant impacts. Additionally, the Central Coast Veterans Cemetery site contains suitable habitat for the Monterey dusky-footed woodrat (i.e., coast live oak woodland and central maritime chaparral), American badger (i.e., non-native grassland, central coastal scrub/non-native grassland mix, and ruderal habitat in close proximity to these habitats), the coast horned lizard (i.e., central coastal scrub and central maritime chaparral), and nesting protected avian species (coast live oak woodland habitat, non-native grassland, maritime chaparral, or central coast scrub). Central Coast Veterans Cemetery development could disturb potential habitat for these species as a result of vegetation removal, destruction or disturbance of nests, introduction and spread of non-native, invasive species during construction activities, equipment noise, vibration, and lighting. Impacts to the above species are potentially significant impacts.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, implementation of BIO-2, BIO, 3, BIO-4, BIO-8, BIO-9, BIO-10, BIO-11, and BIO-12, previously discussed, imposed upon the Project mitigates impacts to less than significant levels.

DRAFT CEQA FINDINGS

(b) Facts in Support of Finding

The Central Coast Veterans Cemetery Planning Area contains suitable habitat for special status bat species. Mitigation Measure BIO-8 requires preconstruction surveys for potential roost sites of special status bats. If bats or signs of bats are found, removal of trees, buildings, or other suitable habitat will not be permitted until the bats have been safely excluded from the roost. If maternity roosts or signs thereof are observed, an appropriate no-disturbance buffer must be established, within which no construction activities can occur. Implementation of these measures will reduce the potential for special-status species bat and bat young mortality during construction such that potential impacts to the special status bat population would be less than significant. Mitigation Measures BIO-2 and BIO-3, previously discussed, require implementation of best management practices during construction and construction-phase monitoring during any ground disturbing activities to protect any special status species encountered. These measures further ensure that any potential impacts to pallid bats and Townsend's big-eared bats that may be detected during vegetation removal, grading, and construction activities are reduced to less than significant through a combination of protective measures during all construction phases, including education and monitoring/avoidance.

The Central Coast Veterans Cemetery Planning Area contains suitable habitat for the dusky-footed woodrat and American badger. Mitigation Measure BIO-9 requires a pre-construction survey for dusky-footed woodrat nests within three days prior to ground disturbance activities. All woodrat nests must be flagged for avoidance when feasible. Nests that cannot be avoided during construction must be manually deconstructed by a qualified biologist prior to land disturbing activities. If a litter is found, the nest material must be replaced and nest left alone until young are capable of independent survival. Implementation of this measure will allow for avoidance or preservation of the woodrat and woodrat young during construction activities and will limit woodrat mortality such that impacts to the dusky-footed woodrat will be less than significant.

Mitigation Measure BIO-10 requires a pre-construction survey for American badger dens and similar avoidance and exclusion measures to reduce the potential for badger mortality during construction such that impacts to the American badger will be less than significant. Additionally, implementation of Mitigation Measures BIO-2, BIO-3, and BIO-4, previously discussed, will further ensure that impacts to Monterey dusky-footed woodrats and American badgers that may be detected during vegetation removal, grading, and construction activities are reduced to less than significant through a combination of protective measures during all construction phases, including education and monitoring/avoidance and invasive species controls that protect these special status species and their habitat.

The Central Coast Veterans Cemetery Planning Area contains suitable habitat for the coast horned lizard. Mitigation Measures BIO-2, BIO-3, and BIO-4 require a combination of

DRAFT CEQA FINDINGS

protective measures during all phases of construction, including education, monitoring/avoidance, and invasive species controls which will limit mortality of coast horned lizard individuals and habitat thereby reducing potential impacts to the coast horned lizard to less than significant.

The Migratory Bird Treaty Act protects the majority of migratory birds breeding in the U.S, including the burrowing owl, Cooper's hawk, White-tailed kite, California horned lark, and other raptor and migratory avian species, regardless of their official federal or state listing status. The law applies to the disturbance or removal of active nests occupied by migratory birds during their breeding season. The Central Coast Veterans Cemetery Planning Area provides nesting habitat for protected avian species. Mitigation Measures BIO-11 and BIO-12, require pre-construction nest surveys, non-disturbance buffers, nest monitoring during construction, and passive relocation (for burrowing owls only), if avoidance is not feasible, which will ensure that nesting birds are not disturbed during construction and that young are able to fledge. This will result in a reduction for the potential for nest abandonment and mortality of protected species thereby reducing the potential for impacts to protected avian species to less than significant. Implementation of Mitigation Measures BIO-2 and BIO-3 will further ensure that impacts to any protected avian species that may be detected during vegetation removal, grading, and construction activities are reduced to less than significant through a combination of protection measures during phases of construction, including education and monitoring/avoidance to limit exposure to construction activities.

13. Indirect Impacts to Habitat Management Plan and Non-Habitat Management Plan Special Status Plant and Animal Species (Central Coast Veterans Cemetery)

Development of the Central Coast Veterans Cemetery has the potential to indirectly affect Habitat Management Plan and non-Habitat Management Plan special-status plant and animal species within the adjacent habitat management areas. Damaging effects may include vandalism, dumping of trash, trampling, mountain bike use, equestrian use, and off-road vehicle use; runoff from adjacent streets and landscaped areas containing lawn fertilizer, pesticides, and vehicle waste (petroleum byproducts); introduction of invasive non-native species; off-trail activity resulting in habitat destruction and/or fragmentation and spread of invasive species; unregulated movement of domestic animals; and a lack of barriers to special-status species entering developed areas, which may result in individual mortality; nighttime lighting and noise; and increased traffic on area roads leading to potential increases in roadkill. These potential post-construction indirect effects to special-status species are potentially significant impacts.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, implementation of

DRAFT CEQA FINDINGS

BIO-5 and BIO-13, previously discussed, imposed upon the Project mitigates impacts to less than significant levels.

(b) Facts in Support of Finding

Mitigation Measure BIO-13 requires compliance with Base Reuse Plan Conservation Element Biological Resources Policies A-5, B-2.1, C-2.5, C-3, and D-2 and the implementation of Project design features such as barriers adjacent to habitat management areas, controlled outdoor lighting buffers, etc. These design features would prevent potentially damaging activities within habitat management areas that could degrade sensitive habitat areas and indirectly impact special status plant and animal species. Implementation of this measure would reduce potential impacts to less than significant. Additionally, implementation of the Borderland requirements set forth in Mitigation Measure BIO-5, previously discussed, will further reduce the Project's indirect impacts to sensitive biological resources in the adjacent habitat management areas to less than significant through a combination of fuelbreak maintenance, access controls, non-native species controls, lighting controls, erosion and sedimentation reduction, and education. These controls will serve to prevent the disturbance of special status plant and animal species and critical habitat and will ensure that potential indirect impacts to these species are reduced to less than significant.

14. Indirect Impacts to Additional Non-Habitat Management Plan Special Status Animal Species (pallid bats, Townsend's big-eared bats) (Central Coast Veterans Cemetery)

Development of the Central Coast Veteran's Cemetery will result in construction noise, dust, and vibration within and adjacent to large trees and other potential roosting habitat causing roost abandonment and death of young pallid bats and Townsend's big-eared bats which would be considered significant impacts.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, implementation of BIO-2 and BIO-3, previously discussed, imposed upon the Project mitigates impacts to less than significant levels.

(b) Facts in Support of Finding

Mitigation Measures BIO-2 and BIO-3, previously discussed, require implementation of best management practices during construction and construction-phase monitoring during any ground disturbing activities to protect any special status species encountered. These measures further ensure that if any pallid bats and Townsend's big-eared bats are detected during

DRAFT CEQA FINDINGS

vegetation removal, grading, and construction activities a combination of protective measures during all construction phases are implemented, including education and monitoring/avoidance that will reduce the potential for bat and bat young mortality, thereby reducing potential indirect impacts to less than significant.

Seaside Corporation Yard

For purposes of this discussion, the term “Seaside Corporation Yard” refers to the Public Facilities (PF) Planning Area.

15. Direct Impacts to Habitat Management Plan Special Status Plant Species (Hooker’s manzanita, Toro manzanita, sandmat manzanita, Monterey ceonothus, Eastwood’s goldenbush)(Seaside Corporation Yard)

Development of the Seaside Corporation Yard could result in significant direct impacts to the following special status Habitat Management Plan plant species: Hooker’s manzanita, Toro manzanita, sandmat manzanita, Monterey ceonothus, Eastwood’s goldenbush (aka Eastwood’s golden fleece). Take authorization from the U.S. Fish and Wildlife Service or the California Department of Fish and Wildlife is not required for take of Hooker’s manzanita, Toro manzanita, sandmat manzanita, Monterey ceonothus, or Eastwood’s goldenbush. Therefore, impacts to these species would be less than significant. Nevertheless, the Habitat Management Plan and the Biological Opinion require identification of sensitive biological resources that may be salvaged for use in restoration activities in habitat management areas.

(a) Findings

Changes or alterations have been required in the Project to ensure this environmental effect as identified in the Draft EIR remains less than significant. Specifically, BIO/COMP-1, previously discussed, is required to ensure impacts remain less than significant.

(b) Facts in Support of Findings

Habitat Management Plan BIO/COMP-1 requires identification of sensitive biological resources including Hooker’s manzanita, Toro manzanita, sandmat manzanita, Monterey ceonothus, and Eastwood’s golden fleece through the completion of an updated rare plant survey. Additionally, preparation and implementation of a salvage plan will be required that employs the use of salvaged plants to revegetate temporarily disturbed construction areas as well as any other on or offsite reseeded and restoration efforts in habitat management areas. This measure serves to ensure there is not a significant loss of individuals that would impact the population and that impacts to Hooker’s manzanita, Toro manzanita, sandmat manzanita, Monterey ceonothus, and Eastwood’s golden fleece remain less than significant.

DRAFT CEQA FINDINGS

16. Direct Impacts to Habitat Management Plan Special Status Plant Species (Monterey spineflower)(Seaside Corporation Yard)

Development of the Seaside Corporation Yard could result in direct impacts to a federal threatened Habitat Management Plan plant species, the Monterey spineflower (0.15 AC). If Project approval and construction occurs prior to issuance of the base-wide Incidental Take Permits, Project impacts to Monterey spineflower would be potentially significant.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, implementation of BIO-1, BIO-2, BIO-3, and BIO-4, previously discussed, imposed upon the Project mitigates impacts to less than significant levels.

(b) Facts in Support of Finding

Mitigation Measure BIO-1 requires avoidance of the Monterey spineflower during development when feasible. If impacts to Monterey spineflower cannot be avoided, in compliance with the Federal Endangered Species Act and the California Endangered Species Act, and as required by the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service, incidental take permits for these species shall be obtained prior to issuance of grading permits for each development. Permit requirements typically involve preparation and implementation of a mitigation plan and mitigating impacted habitat at a 3:1 ratio through preservation and/or restoration. The preservation and protection of Monterey spineflower by avoiding the impact or providing the appropriate compensatory mitigation in consultation with the appropriate permitting agencies as required by BIO-1, serves to prevent a loss in the number of species individuals which will reduce impacts to the Monterey spineflower. Mitigation Measure BIO-2 requires implementation of best management practices during construction including an employee education program for the construction crew, protection of trees and vegetation not planned for removal, erosion control techniques, and restoration of disturbed areas using locally-occurring salvaged native plants/seeds to further ensure that the loss and/or disturbance of these species is limited. Mitigation Measure BIO-3 requires construction monitoring by a qualified biologist during all ground disturbance activities to protect any Monterey spineflower encountered. Mitigation Measure BIO-4 requires implementation of non-native species controls including landscaping of disturbed soils with native species, requirements for cleaning construction equipment that may contain invasive species, and removal of non-native species from disturbed areas, which will preclude the introduction of invasive species that may result in the loss of Monterey spineflower individuals. The combination of protective measures required by BIO-2 through BIO-4, including education, monitoring/avoidance, and invasive species controls further aid in loss prevention or disturbance of this special status species.

DRAFT CEQA FINDINGS

17. Direct Impacts to Habitat Management Plan Special Status Animal Species (Californian legless lizard and Monterey ornate shrew) (Seaside Corporation Yard)

Development of the Seaside Corporation Yard could result in direct impacts to the following Habitat Management Plan special status species, which have the potential to occur within the PF Planning Area: California legless lizard and Monterey ornate shrew. Take authorization from the U.S. Fish and Wildlife Service or the California Department of Fish and Wildlife is not required for take of the California legless lizard and Monterey ornate shrew. Therefore, impacts to these species would be less than significant. Nevertheless, the Habitat Management Plan and the Biological Opinion require identification of sensitive biological resources that may be salvaged for use in restoration activities in habitat management areas. It is unlikely that salvaging Monterey ornate shrews would be appropriate/successful due to their high metabolic rate and cryptic nature; therefore, impacts to this species remain less than significant given that a take permit from the resource agencies is not required. Salvage of California legless lizards has been proven effective and successful; therefore, Measure BIO/COMP-2 requires pre-construction surveys and salvage of any detected individuals before and during vegetation removal, grading, and construction activities.

(a) Findings

Changes or alterations have been required in the Project to ensure this environmental effect as identified in the Draft EIR remains less than significant. Specifically, BIO/COMP-2 is required to ensure impacts remain less than significant.

(b) Facts in Support of Findings

Habitat Management Plan BIO/COMP-2 requires that the Project proponent retain a qualified biologist to prepare and implement a legless lizard salvage/relocation plan in coordination with the California Department of Fish and Wildlife that will include protocol for pre-construction surveys, construction monitoring, and salvage and relocation. Pre-construction surveys will allow for the biologist to relocate as many legless lizards as possible before construction to prevent the loss of these individuals when construction activities commence. Construction monitoring will facilitate the salvage and relocation of any legless lizards that may be found after construction has commenced. Implementation of BIO/COMP-2 will reduce the potential for the loss of legless lizard individuals and thus reduce impacts to the legless lizard population to less than significant.

DRAFT CEQA FINDINGS

18. Direct Impacts to Non-Habitat Management Plan Special Status Animal Species (coast horned lizard, Cooper's Hawk)(Seaside Corporation Yard)

Development of the Seaside Corporation Yard has the potential to impact the habitat of the following special status animal species: coast horned lizard (coastal scrub) and Cooper's hawk (nesting habitat in large mature trees) which are potentially significant impacts.

(a) Findings

Changes or alterations been required in, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, implementation of BIO-2, BIO-3, BIO-4, BIO-11, and BIO-12, previously discussed, imposed upon the Project mitigates impacts to less than significant levels.

(b) Facts in Support of Finding

Mitigation Measure BIO-2 requires implementation of best management practices during construction including an employee education program for the construction crew, protection of trees and vegetation not planned for removal, erosion control techniques, and appropriate protocol to be followed if special status species are found to ensure that the loss and/or disturbance of these species is limited. Mitigation Measure BIO-3 requires construction monitoring by a qualified biologist during all ground disturbance activities to protect the coast horned lizard or Cooper's hawk from indirect construction impacts and to prevent the loss or disturbance of these species. Mitigation Measure BIO-4 requires implementation of non-native species controls including landscaping of disturbed soils with native species, requirements for cleaning construction equipment that may contain invasive species, and removal of non-native species from disturbed areas, which will preclude the introduction of invasive species that may damage the critical habitat for these species. The combination of protective measures required by BIO-2 through BIO-4, including education, monitoring/avoidance, and invasive species controls further aid in loss prevention and minimize disturbance of the coast horned lizard and Cooper's hawk. Mitigation Measures BIO-11 and BIO-12 require avoidance measures for protected avian species. Where avoidance is not feasible, pre-construction nest surveys, non-disturbance buffers, and nest monitoring during construction are required. These avoidance or control measures will prevent the disturbance of nests during breeding season that may cause nest abandonment and subsequent loss of young of protected avian species. Thus, implementation of BIO-11 and BIO-12 will reduce potential impacts to Cooper's hawk to less than significant.

Oak Oval Habitat Preservation Area

For purposes of this discussion, the term "Oak Oval Habitat Preservation Area" refers to the Open Space (OS) Planning Area.

DRAFT CEQA FINDINGS

19. Direct Impacts to Habitat Management Special Status Plant Species (Oak Oval Habitat Preservation Area)

Focused rare plant surveys were not conducted within the OS Planning Area as it was not analyzed at a programmatic level in this EIR. However, several federal- and state-listed and Habitat Management Plan plant species have the potential to occur within the Oak Oval Habitat Preservation Area. Implementation of Habitat Management Plan requirements is intended to avoid potential impacts to federal- and state-listed and Habitat Management Plan special-status plant species that may be detected within the OS Planning Area. However, there is a potential that not all such impacts may be avoided by these Habitat Management Plan requirements, which is a potentially significant impact.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, implementation of Mitigation Measures BIO-2, BIO-3, BIO-4 and BIO-5, and BIO/COMP-1, previously discussed, in addition to the following Mitigation Measure, mitigates impacts to less than significant levels:

BIO-14 The future trail system in the Oak Oval Habitat Preservation Area shall be designed to avoid or reduce impacts to special-status species. The following measures shall be implemented to minimize the effects of constructing the future trail system on special-status species:

The Project Proponent shall retain a qualified biologist to conduct a biological assessment to support the design and planning process for a future trail system through the Oak Oval Habitat Preservation Area to avoid potential impacts to special-status species. The assessment shall include conducting focused rare plant and reconnaissance-level wildlife surveys to determine occupied or potential special-status species habitats prior to trail development. The assessment shall include, but not be limited to, a description of the baseline habitat conditions, known or potential sensitive biological resources that may be impacted by the trail, potential impacts that may result, and any avoidance and minimization measures necessary. The assessment shall be provided to the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, governing jurisdiction, and Coordinated Resource Management and Planning Program members.

If impacts to listed species requiring take authorization cannot be avoided, in compliance with the Federal Endangered Species Act and California Endangered Species Act, and as required by the California Department of Fish and Wildlife and/or U.S. Fish and Wildlife Service, one of two measures shall be required:

DRAFT CEQA FINDINGS

1. Incidental take permits shall be obtained prior to issuance of a grading permit for the future trail system in the Oak Oval Habitat Preservation Area. Permit requirements typically involve preparation and implementation of a mitigation plan and mitigating impacted habitat at a 3:1 ratio through preservation and/or restoration. The mitigation plan shall include, but is not limited to, identifying avoidance and minimization measures; a take assessment; compensatory mitigation lands and success criteria; and funding assurances; or,
2. Alternatively, if the listed species is a proposed Habitat Conservation Plan species ground-disturbing activities may be delayed until the Fort Ord Habitat Conservation Plan is approved and base-wide federal and state incidental take permits are issued. If this alternative is chosen, Project-specific, individual incidental take permits shall not be necessary; however, all applicable Habitat Conservation Plan requirements shall be implemented.

The Project Proponent shall site and design the future cross-country equestrian course through the Oak Oval Habitat Preservation Area's eastern end to minimize vegetation removal and maintain wildlife movement corridors between habitat reserves. No buildings, grandstands, corrals, or parking areas shall be allowed in the Oak Oval Habitat Preservation Area.

Install and maintain signage at trailheads, along designated trails, and trailheads of closed trails to clearly define where these activities to limit riding and equestrian activities to designated trails and courses in the Oak Oval Habitat Preservation Area.

Implement an annual trail maintenance program to reduce the potential effects of hiker and equestrian use of the area on special-status species and natural communities. The program shall emphasize controlling erosion and the potential spread of non-native invasive plants. Trails may be closed and/or rerouted based on the monitoring program.

(b) Facts in Support of Finding

Mitigation Measure BIO-2 requires implementation of best management practices during construction including an employee education program for the construction crew, protection of trees and vegetation not planned for removal, erosion control techniques, and restoration of disturbed areas using locally-occurring salvaged native plants/seeds to ensure that the loss and/or disturbance of special status plant species is limited. Mitigation Measure BIO-3 requires construction monitoring by a qualified biologist during all ground disturbance activities to protect any listed species encountered. Mitigation Measure BIO-4 requires implementation of non-native species controls including landscaping of disturbed soils with native species, requirements for cleaning construction equipment that may contain invasive species, and removal of non-native species from disturbed areas, which will preclude the introduction of

DRAFT CEQA FINDINGS

invasive species that may damage special status species. The combination of protective measures required by BIO-2 through BIO-4, including education, monitoring/avoidance, and invasive species controls minimize the potential for loss or disturbance of special status plant species thereby reducing the potential impacts to less than significant. Additionally, implementation of Borderland requirements set forth in Mitigation Measure BIO-5 which require a combination of fuelbreak maintenance, access controls, non-native species controls, erosion and sedimentation control, and education will further prevent the disturbance or destruction of special status plant species further reducing potential impacts to these species.

Habitat Management Plan BIO/COMP-1 requires identification of sensitive biological resources through the completion of an updated rare plant survey. Additionally, preparation and implementation of a salvage plan will be required that employs the use of salvaged plants to revegetate temporarily disturbed construction areas as well as any other on or offsite reseeded and restoration efforts in habitat management areas. This measure ensures there is not a significant loss of individuals that would impact the population which ensures impacts remain less than significant.

Mitigation Measure BIO-14 requires the Project proponent to retain a qualified biologist to conduct a biological assessment to support the design and planning process for a future trail system through the Oak Oval Habitat Preservation Area. This biological assessment requires focused rare plant pre-construction surveys and implementation of avoidance measures to reduce potential impacts to federal- and state-listed and Habitat Management Plan special-status plant species. If impacts to federally or state protected species cannot be avoided, in compliance with the Federal Endangered Species Act and the California Endangered Species Act, and as required by the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service, incidental take permits for these species shall be obtained prior to issuance of grading permits for each development. Permit requirements typically involve preparation and implementation of a mitigation plan and mitigating impacted habitat at a 3:1 ratio through preservation and/or restoration. The proponent may delay ground disturbing activities until the Fort Ord Habitat Conservation Plan is approved and base-wide incidental take permits are issued. If this alternative is chosen, all Habitat Conservation Plan requirements for the protection protected species must be implemented. Implementation of BIO-14 in conjunction with BIO-2 through BIO-5, require control measures to be imposed on the Project that will reduce the potential for the loss or disturbance of special status plant species to a level of insignificance.

DRAFT CEQA FINDINGS

20. Direct Impacts to Non-Habitat Management Plan Special Status Plant Species (Hickman's onion, Hutchinson's larkspur, Kellogg's horkelia)(Oak Oval Habitat Preservation Area)

Development within the Oak Oval Habitat Preservation Area has the potential to impact the habitat of the following special status plant species: Hickman's onion, Hutchinson's larkspur, and Kellogg's horkelia. Implementation of Habitat Management Plan requirements is intended to avoid potential impacts to non-Habitat Management Plan special-status plant species that may be detected within future development areas of Oak Oval. However, there is a potential that not all such impacts may be avoided by the Habitat Management Plan requirements, which would be considered significant impacts.

(a) Findings

Changes or alterations been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, implementation of BIO-2, BIO-3, BIO-4, BIO-5, BIO-14, and BIO/COMP-1, previously discussed, imposed upon the Project mitigates impacts to less than significant levels.

(b) Facts in Support of Finding

Mitigation Measure BIO-2 requires implementation of best management practices during construction including an employee education program for the construction crew, protection of trees and vegetation not planned for removal, erosion control techniques, and restoration of disturbed areas using locally-occurring salvaged native plants/seeds to ensure that the loss and/or disturbance of special status plant species is limited. Mitigation Measure BIO-3 requires construction monitoring by a qualified biologist during all ground disturbance activities to protect any listed species encountered. Mitigation Measure BIO-4 requires implementation of non-native species controls including landscaping of disturbed soils with native species, requirements for cleaning construction equipment that may contain invasive species, and removal of non-native species from disturbed areas, which will preclude the introduction of invasive species that may damage special status species. The combination of protective measures required by BIO-2 through BIO-4, including education, monitoring/avoidance, and invasive species controls minimize the potential for loss or disturbance of Hickman's onion, Hutchinson's larkspur, and Kellogg's horkelia thereby reducing the potential impacts to less than significant. Additionally, implementation of Borderland requirements set forth in Mitigation Measure BIO-5 which require a combination of fuelbreak maintenance, access controls, non-native species controls, erosion and sedimentation control, and education will further prevent the disturbance or destruction of special status plant species further reducing potential impacts to these species.

DRAFT CEQA FINDINGS

Habitat Management Plan BIO/COMP-1 requires identification of sensitive biological resources through the completion of an updated rare plant survey. Additionally, preparation and implementation of a salvage plan will be required that employs the use of salvaged plants to revegetate temporarily disturbed construction areas as well as any other on or offsite reseeding and restoration efforts in habitat management areas. This measure ensures there is not a significant loss of individuals that would impact the population which ensures impacts remain less than significant.

Mitigation Measure BIO-14 requires the Project proponent to retain a qualified biologist to conduct a biological assessment to support the design and planning process for a future trail system through the Oak Oval Habitat Preservation Area. This biological assessment requires focused rare plant pre-construction surveys and implementation of avoidance measures to reduce potential impacts to federal- and state-listed and Habitat Management Plan special-status plant species. If impacts to federally or state protected species cannot be avoided, in compliance with the Federal Endangered Species Act and the California Endangered Species Act, and as required by the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service, incidental take permits for these species shall be obtained prior to issuance of grading permits for each development. Permit requirements typically involve preparation and implementation of a mitigation plan and mitigating impacted habitat at a 3:1 ratio through preservation and/or restoration. The proponent may delay ground disturbing activities until the Fort Ord Habitat Conservation Plan is approved and base-wide incidental take permits are issued. If this alternative is chosen, all Habitat Conservation Plan requirements for the protection protected species must be implemented. Implementation of BIO-14 in conjunction with BIO-2 through BIO-5, require control measures to be imposed on the Project that will reduce the potential for the loss or disturbance of Hickman's onion, Hutchinson's larkspur, and Kellogg's horkelia to a level of insignificance.

21. Direct Impacts to Habitat Management Plan Special Status Animal Species
(Monterey ornate shrew, California legless lizard)(Oak Oval Habitat
Preservation Area)

Development within the Oak Oval Habitat Preservation Area could result in significant direct impacts to the following Habitat Management Plan special-status animal species, which have the potential to occur within the OS Planning Area: the Monterey ornate shrew and the California legless lizard. Take authorization from the U.S. Fish and Wildlife Service or the California Department of Fish and Wildlife is not required for take of the ornate shrew and California legless lizard. Therefore, impacts to these species would be less than significant. Nevertheless, the Habitat Management Plan and the Biological Opinion require identification of sensitive biological resources that may be salvaged for use in restoration activities in habitat management areas. It is unlikely that salvaging Monterey ornate shrews would be appropriate/successful due

DRAFT CEQA FINDINGS

to their high metabolic rate and cryptic nature; therefore, impacts to this species remain less than significant given that a take permit from the resource agencies is not required. Salvage of California legless lizards has been proven effective and successful; therefore, Measure BIO/COMP-2 requires pre-construction surveys and salvage of any detected individuals before and during vegetation removal, grading, and construction activities.

(a) Findings

Changes or alterations have been required in the Project to ensure this environmental effect as identified in the Draft EIR remains less than significant. Specifically, BIO/COMP-2, previously discussed, is required to ensure impacts remain less than significant.

(b) Facts in Support of Findings

Habitat Management Plan BIO/COMP-2 requires that the Project proponent retain a qualified biologist to prepare and implement a legless lizard salvage/relocation plan in coordination with the California Department of Fish and Wildlife that will include protocol for pre-construction surveys, construction monitoring, and salvage and relocation. Pre-construction surveys will allow for the biologist to relocate as many legless lizards as possible before construction to prevent the loss of these individuals when construction activities commence. Construction monitoring will facilitate the salvage and relocation of any legless lizards that may be found after construction has commenced. Implementation of BIO/COMP-2 will reduce the loss of individuals and thus reduce impacts to the legless lizard population to less than significant.

22. Direct Impacts to Habitat Management Plan Special Status Animal Species (California tiger salamander) (Oak Oval Habitat Preservation Area)

Construction within the OS Planning Area could result in direct impacts to the federal and state listed threatened California tiger salamander upland habitat as a result of vegetation removal and other construction activities. If Project approval and construction occurs prior to issuance of the base-wide Incidental Take Permit, any direct or indirect impacts to the California tiger salamander would be considered a significant impact.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, implementation of BIO-2, BIO-5 and BIO-7, previously discussed, imposed upon the Project mitigates impacts to less than significant levels.

DRAFT CEQA FINDINGS

(b) Facts in Support of Finding

Mitigation Measure BIO-2 requires implementation of best management practices during construction including an employee education program for the construction crew on the proper procedures if a special-status species is encountered within the Project site, to reduce the potential for the loss and/or disturbance of the California tiger salamander. Additionally, implementation of Borderland requirements set forth in Mitigation Measure BIO-5 reduce California tiger salamander mortality rates by requiring the careful design of detention ponds and stormwater detention basins or other water features so that they do not attract breeding California tiger salamanders, unless the water feature is designed to function as a population source. Additionally, management programs to control non-native animals that may negatively impact salamander populations will be implemented. Mitigation Measure BIO-7 requires that the Project proponent obtain an incidental take permit prior to the issuance of grading permits in compliance with the Federal Endangered Species Act and the California Endangered Species Act. This permit requires implementation of a mitigation plan and the mitigation of impacted habitat at a 3:1 ratio to ensure that there is no overall loss of salamander habitat. Alternatively, the proponent may delay ground disturbing activities until the Fort Ord Habitat Conservation Plan is approved and base-wide incidental take permits are issued. If this alternative is chosen, all Habitat Conservation Plan requirements for the protection of the California tiger salamander must be implemented. Implementation of BIO-2, BIO-5, and BIO-7 will minimize the loss of California tiger salamander individuals and habitat through pre-construction surveys, education, construction monitoring, construction work limitations, and avoidance or appropriate compensatory mitigation, such that impacts to the California tiger salamander populations will be less than significant.

Riparian Habitat

23. Impacts to Riparian Habitat (0.2 AC of Riparian Habitat)

Development of the Project could impact 0.2 AC of riparian habitat within the Monterey Downs REC-2 Planning Area. This “infield” portion of the REC-2 Planning Area equestrian training track, which has the potential to support jurisdictional wetlands, may be designed to serve as a reclaimed water reservoir or an athletic field, if it is determined that a reclaimed water reservoir is not needed.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, implementation the following Mitigation Measure imposed upon the Project mitigates impacts to less than significant levels:

DRAFT CEQA FINDINGS

BIO-15 Impacts to Riparian Habitat. The Monterey Downs REC-2 Planning Area shall be designed to avoid impacts to riparian habitat and jurisdiction waters (if any) to the greatest extent feasible, while taking into account site and engineering constraints, including incorporating site design revisions to relocate Project features and/or reduce water quality impacts. If impacts to riparian habitat and jurisdictional waters cannot be avoided, then the following measures shall be implemented to reduce identified impacts to less than significant:

- Prior to issuance of a grading permit for the Monterey Downs REC-2 Planning Area, the Project Proponent shall comply with all applicable local, state, and federal regulations related to impacting riparian habitat, including local tree removal ordinances, Clean Water Act Sections 401 and 404, and/or California Fish and Wildlife Code Section 1602. Specifically, the Project Proponent shall obtain a Section 401 permit under the federal Clean Water Act from the Regional Water Quality Control Board and a Section 404 permit under the federal Clean Water Act from the U.S. Army Corps of Engineers. All permit requirements shall be followed.
- In support of the regulatory agency wetland permitting process described above, a wetland delineation shall be conducted for the Monterey Downs REC-2 Planning Area to determine the presence and extent of jurisdictional wetlands and other waters of the U.S. The wetland delineation shall be conducted according to the protocols set forth by the U.S. Army Corps of Engineers.
- Impacted riparian habitat shall be mitigated at a 1:1 replacement-to-loss ratio; the final mitigation amounts shall be determined during the regulatory agency permitting process through the preparation of a Habitat Mitigation and Monitoring Plan by a qualified biologist. It is expected that the riparian mitigation site can occur within the Monterey Downs REC-2 Planning Area or a different planning area within the Monterey Downs development area. The Habitat Mitigation Monitoring Plan shall include but not limited to, a planting plan, success criteria, monitoring protocols to determine if success criteria have been met, adaptive management protocols in the event success criteria are not met, and funding assurances.

(b) Facts in Support of Finding

Mitigation Measure BIO-15 requires that the Project Proponent comply with all applicable local, state, and federal regulations related to impacting riparian habitat, including local tree removal ordinances, Clean Water Act Sections 401 and 404, and/or California Fish and Wildlife Code Section 1602. Mitigation Measure BIO-15 requires that the Project Proponent obtain a Section

DRAFT CEQA FINDINGS

401 permit under the federal Clean Water Act from the Regional Water Quality Control Board and a Section 404 permit under the federal Clean Water Act from the Army Corps of Engineers. Further, in support of this regulatory agency wetland permitting process, a wetland delineation is required for the Monterey Downs REC-2 Planning Area to determine the presence and extent of jurisdictional wetlands and other waters of the U.S. BIO-15 requires that the wetland delineation be conducted in accordance with Army Corps of Engineers' protocol. Implementation of Mitigation Measure BIO-15 would reduce this impact to less than significant through restoration and preservation of this habitat as delineated in a Habitat Mitigation Monitoring Program to be approved by the permitting agencies and compliance with all applicable local, state, and federal regulations related to impacting riparian habitat, including local tree removal ordinances, Clean Water Act Sections 401 and 404, and/or Department of Fish Wildlife Code Section 1602.

Wetlands and Jurisdictional Waters

24. Impacts to potential 0.2 AC of Federally Protected Wetlands as Defined by the Clean Water Act

Based on the field surveys, it was determined that the potential exists for the 0.2 AC of riparian habitat that exists within the Monterey Downs REC-2 Planning Area to support jurisdictional wetlands. This "infield" portion of the REC-2 Planning Area equestrian training track, which has the potential to support jurisdictional wetlands, may be designed to serve as a reclaimed water reservoir or an athletic field, if it is determined that a reclaimed water reservoir is not needed. Therefore, Project implementation will have a substantial adverse effect on federally protected wetlands within Monterey Downs Planning Area REC-2,

(a) Findings

Changes or alterations have been required in the Project to ensure this environmental effect as identified in the Draft EIR remains less than significant. Specifically, implementation of BIO-15, previously discussed, ensures impacts remain less than significant.

(b) Facts in Support of Finding

Implementation of Mitigation Measure BIO-15 will reduce this impact to less than significant through restoration and preservation of this habitat as delineated in a Habitat Mitigation and Monitoring Plan to be approved by the permitting agencies. Mitigation Measure BIO-15 also requires compliance with all applicable local, state, and federal regulations related to impacting riparian habitat, including local tree removal ordinances, Clean Water Act Sections 401 and 404, and/or Department of Fish and Wildlife Code Section 1602.

DRAFT CEQA FINDINGS

Consistency with Local Policies/Ordinances

25. Potential Conflicts with Local Policies or Ordinances Protecting Biological Resources

Development within the Specific Plan area, as is any development within the City of Seaside, is required to comply with the City of Seaside's Tree Ordinance, which requires identification of certain trees on the final map, and mitigation for removal of certain trees.

Regarding the Fort Ord Habitat Management Plan, parcels designated as "development" (including the project site) have no habitat management restrictions. However, the U.S. Fish and Wildlife Biological Opinion and Habitat Management Plan require the identification of sensitive biological resources within the designated development parcels that may be salvaged for use in restoration activities in habitat management areas.

The Habitat Management Plan also designates parcels as "Borderland Development Areas Along Natural Resource Management Area (NRMA) Interface." Borderlands are designated development parcels or habitat management areas at the urban/wildland interface where specific design considerations and management activities are required to minimize effects of development on Habitat Management Plan species and natural communities.

The Borderland designations, requirements, and management entities have been drafted and outlined in the Administrative Draft Fort Ord Habitat Conservation Plan. The result was an expansion of the Habitat Management Plan Borderland definition to identify management responsibilities for additional boundary situations, and four categories were created. Category 1 follows the Borderlands designation included in the Habitat Management Plan, as revised through the East Garrison-Parker Flats land use modifications. As presented in the currently drafted Habitat Conservation Plan, the following Monterey Downs Planning Areas are located within a proposed Category 1 Borderland parcel (Army Parcel Number E19a.3): Monterey Horse Park (Planning Area REC-1); and Monterey Downs Equestrian Training Track and Sports Arena (Planning Area REC-2), commercial area (Planning Area C-2), and residential area (Planning Area RM). Although the borderland designations are identified in the adopted Habitat Management Plan, the detailed requirements and management entities will not be finalized until the draft Habitat Conservation Plan is adopted. Therefore, mitigation is required to ensure project development is consistent with the designations, requirements, and management entities in the draft Habitat Conservation Plan.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, implementation of

DRAFT CEQA FINDINGS

BIO-5, previously discussed, imposed upon the Project mitigates impacts to less than significant levels.

(b) Facts in Support of Finding

Development within the Specific Plan area is required to comply with the City of Seaside's Tree Ordinance, which requires identification of certain trees on the final map, and mitigation for removal of certain trees. In addition, Mitigation Measure BIO-5 which requires a combination of fuelbreak maintenance, access controls, non-native species controls, erosion and sedimentation control, and education is consistent with the requirements in the Habitat Conservation Plan that has not yet been approved. The control measures required by BIO-5 ensure project development is consistent with the designations, requirements, and management entities in the draft Habitat Conservation Plan. Therefore, the proposed project would not conflict with local policies or ordinances protecting biological resources.

Conflict with Adopted Habitat Conservation Plans

26. Conflict with Provisions of Adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other Approved Local, Regional, or State Habitat Conservation Plan.

Although the Project site is not currently within jurisdiction of any Natural Community Conservation Plan or Habitat Conservation Plan, a Habitat Conservation Plan is being prepared as an implementation measure of the Base Reuse Plan. However, until the Habitat Conservation Plan is finalized, impacts to federal- and state-listed endangered or threatened species are addressed separately and the Habitat Management Plan is the governing document for habitat management within the former Fort Ord.

The Department of the U.S. Army developed the Fort Ord Habitat Management Plan in compliance with Section 7 of the federal Endangered Species Act to provide for the incidental take of federally-listed species as will occur with implementation of the Fort Ord Reuse Plan. According to the Habitat Management Plan Map for the former Fort Ord, the majority of the Project area is located within an area designated "Development with no habitat Restrictions" (U.S. Army Corps of Engineers 2005, Revised Attachment A) with the exception of the "Oak Oval Habitat Area," which is designated as "Habitat Reserve" and only the allowed uses described in the Habitat Management Plan are proposed.

Impacts to biological resources associated with development of these areas are mitigated in the Habitat Management Plan through the set-aside of habitat reserve areas within the boundaries of the former Fort Ord. While the proposed Project will not conflict with the Habitat Management Plan, the Project has the potential to impact federally-listed species including the Monterey spineflower, sand gila, and California tiger salamander, which is a significant impact.

DRAFT CEQA FINDINGS

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, implementation of BIO-1 and BIO-7, previously discussed, imposed upon the Project mitigates impacts to less than significant levels.

(b) Facts in Support of Finding

Mitigation Measure BIO-1 requires avoidance of the Monterey spineflower during development when feasible. If impacts to Monterey spineflower cannot be avoided, in compliance with the Federal Endangered Species Act and the California Endangered Species Act, and as required by the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service, incidental take permits for these species shall be obtained prior to issuance of grading permits for each development. Permit requirements typically involve preparation and implementation of a mitigation plan and mitigating impacted habitat at a 3:1 ratio through preservation and/or restoration. The preservation and protection of Monterey spineflower by avoiding the impact or providing the appropriate compensatory mitigation in consultation with the appropriate permitting agencies as required by BIO-1, serves to prevent a loss in the number of species individuals which will reduce impacts to the Monterey spineflower consistent with provisions of Adopted Habitat Conservation Plan, Natural Community Conservation Plan, and Draft Habitat Conservation Plan. Additionally, Mitigation Measure BIO-7 requires that the Project proponent obtain an incidental take permit prior to the issuance of grading permits in compliance with the Federal Endangered Species Act and the California Endangered Species Act. This permit requires implementation of a mitigation plan and the mitigation of impacted habitat at a 3:1 ratio to ensure that there is no overall loss of salamander habitat. Alternatively, the proponent may delay ground disturbing activities until the Fort Ord Habitat Conservation Plan is approved and base-wide incidental take permits are issued. If this alternative is chosen, all Habitat Conservation Plan requirements for the protection of the California tiger salamander must be implemented. Implementation of BIO-2, BIO-5, and BIO-7 will minimize the loss of California tiger salamander individuals and habitat through pre-construction surveys, education, construction monitoring, construction work limitations, and avoidance or appropriate compensatory mitigation consistent with provisions of Adopted Habitat Conservation Plan, Natural Community Conservation Plan, and Draft Habitat Conservation Plan.

D. CULTURAL RESOURCES

The Project's potential impacts on cultural resources that can be mitigated or are otherwise less than significant are discussed in Section 4.4, Cultural Resources, of the Draft EIR. Identified potential impacts include archeological resources and possible disturbance of unknown human remains.

DRAFT CEQA FINDINGS

1. Potential for Archaeological Resources and Human Remains (Project and Cumulative)

The Project site is not located in an area of high archaeological sensitivity and no archaeological resources or human remains are known to be located on the Project site. However, excavation of the Project site has the potential to disturb unknown resources, including archaeological and human remains, resulting in potentially significant impacts, at the Project level and cumulatively.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measures imposed upon the Project mitigates the potential for cultural resources impacts to less than significant levels:

CR-1 Archaeological Resources. In order to ensure that Project-impacts to potentially unknown resources are avoided, developers shall be responsible for on-going monitoring of Project construction. Prior to issuance of any grading permit, the Project proponent shall provide the City of Seaside with documentation identifying construction personnel that will be responsible for on-site monitoring. If during the course of Project construction, archaeological resources or human remains are accidentally discovered during construction, work shall be halted within 165 feet of the find until a qualified professional archaeologist can evaluate it. Work shall not recommence until the Project archaeologist has submitted documentation to the City indicating that discovered resources have been adequately salvaged and no further resources have been identified within the area of disturbance.

CR-2 Human Remains. In order to ensure that the proposed Project does not impact buried human remains during Project construction, developers shall be responsible for on-going monitoring of Project construction. Prior to the issuance of any grading permit, developers shall provide the City of Seaside with documentation identifying construction personnel that will be responsible for on-site monitoring. If buried human remains are encountered during construction, work in that area must halt and the archaeologist and the coroner immediately notified. If the remains are determined to be Native American, then the Native American Heritage Commission must be notified within 24 hours as required by Public Resources Code 5097. The Native American Heritage Commission will notify designated Most Likely Descendants who will provide recommendations for the treatment of the remains within 24 hours. The Native American Heritage Commission will mediate any disputes regarding treatment of remains. Work shall not recommence until the Project archaeologist, coroner, and Native American Heritage

DRAFT CEQA FINDINGS

Commission, submit documentation to the City indicating that buried human remains have been adequately salvaged and no further remains have been identified within the area of disturbance.

(b) Facts in Support of Findings

Mitigation measures CR-1 and CR-2 require contractor work specification and training which will reduce potential impacts that could be significant to a less than significant level in the event that archaeological resources and/or human remains are discovered during construction.

E. GEOLOGY AND SOILS

The Project's potential impacts on geology and soils that can be mitigated or are otherwise less than significant are discussed in Section 4.5, Geology and Soil, of the Draft EIR. Identified impacts include seismic groundshaking, ground failure, unstable geologic unit or soil, and expansive soils.

1. Seismic Groundshaking

Several active faults are located within 15 miles of the Project site which may subject the Project to strong ground shaking in the event of an earthquake. Therefore, people and structures may be exposed to potential adverse effects from seismic groundshaking with is a potentially significant impact.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure imposed upon the Project mitigates impacts to less than significant levels:

GEO-1 Preparation of Design-Level Geotechnical Investigations. Applicants of development associated with the Monterey Downs, Monterey Horse Park, and Seaside Corporation Yard shall prepare design-level geotechnical investigations in accordance with the California Building Code and Seaside Municipal Code Chapter 15.04, and recommendations contained in the Phase I Geotechnical Report and Geologic Hazards Assessment (Pacific Crest Engineering, March 18, 2014). The geotechnical investigations shall identify design requirements associated with, but not limited to, earthwork, structure foundations, seismic considerations, slabs-on-grade, retaining walls, pavement recommendations, etc. The geotechnical investigations shall be subject to review and approval by the City Engineer, prior to approval of final improvement plans for the Monterey Downs subdivision, and prior to issuance of use permits for the Monterey

DRAFT CEQA FINDINGS

Horse Park and Seaside Corporation Yard. Prior to final inspection, developers shall provide certification from a qualified professional that development has been constructed in accordance with design-level geotechnical reports.

GEO-2 Preparation of a Design-Level Geotechnical Investigation – Central Coast Veterans Cemetery. Applicants of development associated with the Central Coast Veterans Cemetery shall prepare a design-level geotechnical investigation prepared in accordance with the California Building Code and Monterey County Code, and recommendations contained in the Geotechnical Investigation and Percolation Testing, Proposed California Central Coast Veterans Cemetery Site, Monterey County, California (Kleinfelder, September 17, 2010). The geotechnical investigation shall identify design requirements associated with, but not limited to, earthwork, structure foundations, seismic considerations, slabs-on-grade, and pavement recommendations.

(b) Facts in Support of Findings

Mitigation Measures GEO-1 and GEO-2 require preparation of a design-level geotechnical investigation as well as compliance with all City Building and Safety standards and requirements that will guide the design and construction of the Project, and are intended to mitigate seismic impacts. In addition, the Project will be required to conform to the latest edition of the California Building Code, which includes design measures to mitigate against seismic hazards which will be enforced through review of plans and inspection of structures during construction. Through incorporation of the geotechnical investigation recommendations as required through implementation of Mitigation Measure GEO-1, and compliance with the California Building Code and City of Seaside standards, Project impacts related to ground shaking would be less than significant.

2. Ground Failure

While the Project site is not located within a designated Liquefaction Hazard Zone, Pacific Crest Engineering determined that dynamic compaction is one of the primary geologic hazards that could affect the site which is a potentially significant impact.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, Mitigation Measure GEO-1 and GEO-2, discussed above, imposed upon the Project mitigates impacts to less than significant levels.

DRAFT CEQA FINDINGS

(b) Facts in Support of Findings

Numerous controls will be imposed on the Project through the permitting process. Additionally, the Phase I Geotechnical Report and Geologic Hazards Assessment prepared for the Project concludes that the Project site is feasible for development from a geotechnical and geologic perspective. Implementation of Mitigation Measures GEO-1 and GEO-2 will ensure that development of the Project is designed and built to ensure minimal risk from ground failure (i.e., dynamic compaction), through determination of detailed geotechnical design criteria and preparation of design-level geotechnical reports. Implementation of the recommended mitigation will ensure the Project will not expose people or structures to potential substantial adverse impacts, including the risk of loss, injury, or death involving ground failure (i.e., dynamic compaction). The Project will result in a less than significant impact with the incorporation of mitigation.

2. Unstable Geologic Unit or Soil

Development activities within the Project site will be located on soils that could become unstable if a concentrated flow of water to sandy soils within the Project site results in piping and probable collapse of the ground surface. Development within the Project site will include grading activities, fills of different thickness and fills adjacent to cut areas that could result in differential settlement. Construction on un-compacted and loose fill, if present, will be subject to varying rates of settlement and structural damage could occur which is a potentially significant impact.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, Mitigation Measures GEO-1 and GEO-2, discussed above, imposed upon the Project mitigate impacts to less than significant levels.

(b) Facts in Support of the Findings

Implementation of Mitigation Measures GEO-1 and GEO-2, which require preparation of design-level geotechnical reports that will identify and mitigate potential geologic and soil-related constraints to development within the Project site, will reduce potential impacts associated with unstable soils to less than significant.

DRAFT CEQA FINDINGS

3. Expansive Soils

While soils within the Project site have a low shrink swell potential, the Project implementation could result in development on expansive soils subject to shrinking and swelling in response to changes in moisture content.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR. Specifically, Mitigation Measures GEO-1 and GEO-2, discussed above, imposed upon the Project mitigate impacts to less than significant levels.

(b) Facts in Support of the Findings

Mitigation Measures GEO-1 and GEO-2 require preparation of design-level geotechnical reports, which will ensure that the Project will not create substantial risks to life or property involving expansive soils. Therefore, impacts as a result of expansive soils will be reduced to less than significant with mitigation incorporated.

F. HAZARDS AND HAZARDOUS MATERIALS

The Project's potential impacts on hazards and hazardous materials that can be mitigated or are otherwise less than significant is discussed in Section 4.7, Hazards and Hazardous Materials, of the Draft EIR. Identified potential impacts include construction-related impacts, emission or handling of hazardous materials within the vicinity of a school, wildland fires, and cumulative impacts.

1. Construction-Related Impacts

The Project area is located within the former Fort Ord where ordnance and explosives could be present. Site disturbance activities that will occur with implementation of the Project could result in an increased safety risk to workers during construction which is a potentially significant impact.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental impact as identified in the Draft EIR. Specifically, compliance with Section 15.34.050 of the Seaside Municipal Code and implementation of the following Mitigation Measures mitigates impacts to less than significant levels:

HAZ-1 Hazards and Hazardous Materials Contingency Plan for Construction Activities.
Prior to issuance of a grading permit, the City of Seaside Resource Management Services

DRAFT CEQA FINDINGS

Department shall review and approve a contingency plan (prepared by the contractor) that addresses the potential to encounter on-site unknown hazards or hazardous materials during construction activities. The plan shall indicate that in the event of discovery of any suspect munitions and explosives of concern (including unexploded ordnance) in transferred properties, local law enforcement shall be contacted immediately. If munitions and explosives of concern are suspected, local law enforcement shall request response by qualified personnel, such as the Department of Defense Explosive Ordnance Detachment unit. The Fort Ord Base Realignment and Closure Office shall be contacted. In the event of discovery of any suspect munitions and explosives of concern (including unexploded ordnances) in properties subject to Environmental Services Cooperative Agreement, the notification shall be provided to the Fort Ord Reuse Authority.

HAZ-2 Munitions and Explosives Safety Briefing. Construction supervisors and crews shall attend a Fort Ord Reuse Authority sponsored munitions and explosives safety briefing prior to commencement of construction. This briefing shall identify the variety of munitions and explosives that are known to exist on the former Fort Ord and the actions to be taken if a suspicious item is discovered. This requirement for briefing shall be included in construction documents, approved by the City of Seaside Engineer.

HAZ-3 Remediation Activities. With submittal of a grading permit application, developers shall submit evidence that the development area has been cleaned up pursuant to the measures outlined below. The City shall not issue a grading permit until such evidence is submitted.

- For portions of the Project area located within the Parker Flats and County North MRAs - pursuant to the Environmental Services Cooperative Agreement (ESCA).
- For the middle portion within the ESCA Parker Flats MRA Phase II – pursuant to the FORA's pending remedial investigation/feasibility study for the middle portion (ESCA Parker Flats MRA Phase II), which will select a remedy for this portion. Once a remedy is selected for this portion, FORA will implement the selected remedy including developing a remedial design/remedial action work plan under the ESCA and with the supervision of the U.S. Environmental Protection Agency (EPA), in consultation with the California Department of Toxic Substances Control (DTSC).

DRAFT CEQA FINDINGS

(b) Facts in Support of the Findings

Per Section 15.34.050, Excavation and Digging Restrictions, of Seaside Municipal Code, it is unlawful for any person, including utilities, to engage in excavation, digging, development or ground disturbance, unless a permit approval is obtained from the City. Per the requirements of the permit, should any suspected unexploded ordnance be discovered, appropriate response actions with Fort Ord Reuse Authority (formerly the U.S. Army) and Department of Toxic Substances Control will be conducted. Concerning unexploded ordnance construction support, coordination with the Fort Ord Reuse Authority or the Army may be required. For parcels subject to the Environmental Services Cooperation Agreement, construction support shall be coordinated with the Fort Ord Reuse Authority under the Environmental Services Cooperative Agreement. For other parcels, if construction support requirement is included in the property's deed, it shall be coordinated with the Army, as determined by the Fort Ord Base Realignment and Closure Office.

By complying with Section 15.34.050 of the Seaside Municipal Code and, thereby obtaining permits before moving soil, the Project will comply with the soil Land Use Controls. The City will also require the following conditions to be placed upon the Project:

- Indemnification statement as follows:
 - “The permittee agrees that as a condition of issuance of a permit to defend at its sole expense, indemnify and hold harmless from any liability the city, and reimburse the city for any expenses incurred resulting from or in connection with the approval of the project including any claim, suit or legal proceeding.”
- Applicants must have unexploded ordnance and explosives construction support as part of the Project. Concerning UXO construction support, coordination with FORA or the Army may be required. For parcels subject to ESCA, construction support shall be coordinated with FORA under the ESCA. For other parcels, if construction support requirement is included in the property's deed, it shall be coordinated with the Army, as determined by the Fort Ord Base Realignment and Closure (BRAC) Office.
- Coordinate with Fort Ord Reuse Authority and/or the Environmental Services Cooperative Agreement staff (City can provide contact information).
- Applicants must cease all soil disturbance activity in the event of discovery of any suspect munitions and explosives of concern (including unexploded ordnance) in transferred properties, local law enforcement shall be contacted immediately. If munitions and explosives of concern are suspected, local law enforcement shall request response by qualified personnel, such as the Department of Defense (DOD) Explosive Ordnance Detachment (EOD) unit. The current Army contact is the Fort Ord BRAC Office. In the

DRAFT CEQA FINDINGS

event of discovery of any suspect MEC (including UXO) in properties subject to ESCA, the notification shall be provided to FORA.

- Within 30 days of completion of the soil disturbing activities, Permittee shall prepare and submit a report to City of Seaside, the Army, and Department of Toxic Substances Control that shall state whether or not any ordnance or explosives were detected.

Additionally, compliance with Mitigation Measure HAZ-1 requires the preparation of a contingency plan for construction activities identifying procedures for construction workers who may encounter ordnance or explosive materials during construction activities will reduce potential impacts related to these hazards. Compliance with Mitigation Measure HAZ-2 and HAZ-3 will ensure that Fort Ord Reuse Authority, through consultation with the Army and involved agencies, completes all required clean-up activities consistent with all revised land uses proposed in the Fort Ord Base Reuse Plan. Implementation of Mitigation Measures HAZ-1 through HAZ-3 in conjunction with the policies discussed above will ensure worker safety during site disturbance activities which will reduce hazard related impacts to a less than significant level.

2. Emit/Handle Hazardous Materials in the Vicinity of a School

Chartwell School is located west of the Central Coast Veterans Cemetery parcel and the “East Campus Open Space” parcel at California State University Monterey Bay is located north of the proposed training/race track and sports arena. Construction activities could result in the handling/transport of hazardous waste (ordnance and explosives) in the vicinity of these schools which could present a potentially significant impact.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the existing federal, state, and local laws and regulations, including Section 15.34.050 of the Seaside Municipal Code and CUPA regulations, as well as Mitigation measures HAZ-1 through HAZ-3, discussed above, mitigate impacts to less than significant levels.

(b) Facts in Support of the Findings

Mitigation Measure HAZ-1 requires the preparation of a contingency plan identifying procedures for construction workers who may encounter ordnance or explosive materials during construction activities. Mitigation Measure HAZ-2 and HAZ-3 require the Fort Ord Reuse Authority, through consultation with the Army and involved agencies, to complete all required clean-up activities consistent with all revised land uses proposed in the Fort Ord Base Reuse Plan and that grading permits are not issued until evidence of adequate cleanup is submitted by

DRAFT CEQA FINDINGS

developers. Implementation of Mitigation Measures HAZ-1 through HAZ-3 will ensure that proper cleanup procedures are followed on the project site and, in the event ordnance or explosives are found, they are properly handled according to procedures mandated by the County of Monterey Environmental Health Department so as to minimize public safety risks at nearby schools. Thus, Mitigation Measures HAZ-1 through HAZ-3 will reduce the potential hazards impacts associated with handling of hazardous materials near schools to less than significant.

3. Risk from Wildland Fire

The Project includes a 60-acre “Firewise Overlay (FW-O),” as the Project area is adjacent to wildlands (i.e., oak woodland and/or chaparral) to the northeast, south and east. Additionally, the Project will retain approximately 93 acres of the coast live oak woodland that are present within the Project boundaries. Therefore, in the event of a wildland fire, Project development will result in a potentially significant impact associated with the increased risk for people or structures at the Project site, from wildland fires.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure imposed upon the Project mitigates impacts to less than significant levels:

HAZ-4 Prior to issuance of grading permits for any property within the Firewise Overlay (FW-O), Applicants shall prepare a Firewise Plan for review and approval by the Seaside Planning Division and Seaside Fire Department. The Firewise Plan shall prohibit flammable structures within the FW-O (i.e., 200 feet of wildlands) and address the location of structures, construction materials, fuel breaks, and emergency ingress and egress.

(b) Facts in Support of the Findings

Project construction will be subject to compliance with the California Building Code, Title 24, Part 9, Fire Code, which provides minimum standards to increase the ability of a building to resist the intrusion of flame or burning embers being projected by a vegetation fire and contributes to a systematic reduction in conflagration losses through the use of performance and prescriptive requirements. The Project will also be served by the City of Seaside Fire Department or through an agreement with the Monterey County Regional Fire District or the Presidio of Monterey. Mitigation Measure HAZ-4 prohibits flammable structures within the FW-O (i.e., within 200 feet of wildlands) and requires preparation of a Firewise Plan that addresses location of structures, construction materials, fuel breaks, and emergency ingress and egress. Compliance with the California Fire Code and Mitigation Measure HAZ-4 will ensure that the Project does

DRAFT CEQA FINDINGS

not expose people or structures to significant risk of loss, injury, or death involving wildland fires. Therefore, the impact will be reduced to less than significant.

4. Cumulative Impacts – Hazardous Materials

Based on Fort Ord Base Reuse Plan buildout capacities, the proposed Project when considered with other related projects and possible development in the area with the potential to produce or handle certain hazardous materials. Specifically, there is the potential for existing unexploded ordnance and explosives to be present on former Fort Ord lands. Implementation of the Project could result in new sensitive land uses in the Project area that will be exposed to these conditions. The Project could cumulatively contribute to Base Reuse Plan exposure of the public to risks from hazardous and toxic materials.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure imposed upon the Project mitigates impacts to less than significant levels: Mitigation Measures HAZ-1 through HAZ-4, and the following Base Reuse Plan Policies and Programs:

Hazardous and Toxic Materials Safety Policy A-1,-Program A-1.1, Program A-1.3, Program A-1.4, Hazardous and Toxic Materials Safety Policy B-1, Program B-1.3, Program B-1.4, Hazardous and Toxic Materials Safety Policy B-2, Hazardous and Toxic Materials Safety Policy C-1, Program C-1.1..

(b) Facts in Support of the Findings

Implementation of the Mitigation Measures HAZ-1 through HAZ-3 will ensure worker safety during site disturbance activities as well as cleanup activities to the appropriate regulatory levels on the Project site. Compliance with these measures and Base Reuse Plan Policies and Programs for unexploded ordnances will reduce the Project's potential for a cumulative contribution to impacts associated with hazardous materials to less than significant levels.

G. HYDROLOGY AND WATER QUALITY

The Project's potential impacts on hydrology and water quality that can be mitigated or are otherwise less than significant are discussed in Section 4.8, Hydrology and Water Quality, of the Draft EIR. Identified potential impacts include long-term operational impacts to water quality and drainage.

DRAFT CEQA FINDINGS

1. Long-Term Operational Impacts on Water Quality

The Project involves development of new residential, commercial, recreational, and other uses, as well as infrastructure and hardscapes, which will result in a reduction of permeable surfaces to the currently undeveloped Project site. The Project may result in significant water quality impacts from stormwater and urban runoff associated with the proposed land uses.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure imposed upon the Project mitigates impacts to less than significant levels:

HYD-1 Applicants for development within the Project area (e.g., subdivisions and use permits) shall prepare and submit a Stormwater Control Plan in compliance with the Central Coast Regional Water Quality Control Board Order R3-2013-0032 with their permit application. The Stormwater Control Plan shall demonstrate that the development incorporates site design characteristics, landscape features, and engineered facilities, in order to accomplish the following: minimize imperviousness; detain and treat, and/or retain, the specified amounts of runoff; slow runoff rates; and reduce pollutants in post-development runoff. Detailed requirements for the plan are included in the Stormwater Technical Guide for Low Impact Development – Compliance with Stormwater Post-Construction Requirements for the Monterey Regional Stormwater Management Program, which may be obtained by contacting the City of Seaside Engineer. The Stormwater Control Plan shall be subject to review and approval by the City Engineer, prior to approval of the development permit.

As described in Order R3-2013-0032, Attachment 1, Section E, Operation and Maintenance for Structural SCMs, the Applicant shall prepare and submit a Stormwater Operations and Maintenance (O&M) Plan and Maintenance Agreements for all proposed structural stormwater control measures (SCM). The O&M Plan and Maintenance Agreements shall clearly establish responsibility for all structural water quality treatment, runoff retention, and/or peak management controls, to the satisfaction of the City of Seaside prior to occupancy.

On or before October 15 of every year, the Applicant shall submit to the City of Seaside City Engineer an annual report outlining the operations and maintenance of structural stormwater control measures (SCMs). At a minimum, the annual report shall include the following:

DRAFT CEQA FINDINGS

- a) SCM identification number and location/address
- b) Type of SCM
- c) Completion date of the following Project stages, where applicable:
 - i) Construction
 - ii) Field verification of SCM
 - iii) Final Project approval/occupancy
 - iv) Operations & Management plan approval by City of Seaside
- d) Location (physical and/or electronic) where the Operations & Management Plan is available to view
- e) Party responsible for Operations & Management
- f) Source of funding for Operations & Management
- g) Verification that responsible party has maintained the SCM as outlined in the Operations & Management Plan, or, indication that a self-inspection program is in place to verify that the SCM continues to function as designed and to repair and/or replace the SCM if it is not functioning as designed
- h) Any problems identified during inspections including any vector or nuisance problems.
- i) Signed certification that the Applicant has performed, or has caused to perform, the operational and maintenance requirements as outlined in the Stormwater Operations & Management Plan and/or Maintenance Agreements.

HYD-2 Development applications for commercial equestrian facilities shall prepare an Equestrian Management Plan for review and approval by the City Engineer and the Regional Water Quality Control Board. By incorporating the applicable performance standards listed in Mitigation Measure AQ-3 and Mitigation Measure BIO-5 (Borderland Requirements), the Equestrian Management Plan shall address best management practices (BMPs), including proper installation/maintenance procedures, for odor control, manure/weed control, and runoff pollution site design/source control/treatment control in compliance with National Pollution Discharge Elimination System standards

DRAFT CEQA FINDINGS

and Environmental Protection Agency/Regional Water Quality Control Board rules/regulations pertaining to water quality/Concentrated Animal Feeding Operations at time of design/construction.

(b) Facts in Support of the Findings

The parcel-specific development proposals will be subject to compliance with National Pollution Discharge Elimination System requirements, which include implementation of post-construction controls in order to mitigate stormwater pollution. The Specific Plan development will be required to control pollutants, pollutant loads, and runoff volume from each site by minimizing the impervious surface area and controlling runoff from impervious surfaces through infiltration, bioretention, and/or rainfall harvest and use. The National Pollutant Discharge Elimination System permit requires Best Management Practices to capture and treat the first 0.75-inch rain event before the runoff is discharged offsite. Best Management Practices will need to achieve applicable water quality-based effluent limitations and/or receiving water limitations established pursuant to Total Maximum Daily Loads. In the event Total Maximum Daily Loads are identified for this watershed prior to permit approval, watershed control measures will be required. These may include structural and/or non-structural controls, and operation and maintenance procedures, such as establishing parking area maintenance practices and stormwater system maintenance practices. Each parcel will be required to comply with current stormwater regulations at the time plan check commences and therefore some parcels may be subject to higher requirements than others, based on development timing and phasing.

A Water Quality Management Plan, or functional equivalent, must be prepared, including Best Management Practices, in accordance with the Seaside Municipal Code. Additionally, stormwater detention/retention features, as necessary, must be included in the Construction Drawings to mitigate impacts of changes in imperviousness, as identified in the site-specific hydrology study. Best Management Practices will be required to be implemented in each drainage subarea based on Low Impact Development and Water Quality Management Plan (or functional equivalent) design principles. The Best Management Practices will be designed to collect, detain, treat, infiltrate/evapotranspire, and discharge runoff onsite before discharging into the City storm drain system. To the maximum extent practical, stormwater quality treatment will be provided with infiltration. The treatment methods are expected to include infiltration wells, infiltration basins, high-efficiency planter boxes, and surface planting areas. As discussed below, it is anticipated that treatment will occur on a parcel by parcel basis; however, a common treatment facility may be created to treat stormwater from multiple lots.

The Specific Plan development will also be subject to compliance with Seaside Municipal Code Chapter 8.46, Urban Storm Water Quality Management and Discharge Control, which is intended to protect and enhance the water quality of watercourses and water bodies in a manner pursuant to and consistent with the Clean Water Act by reducing pollutants in stormwater

DRAFT CEQA FINDINGS

discharges to the maximum extent practicable and by prohibiting non-stormwater discharges to the storm drain system. Specifically, the development Applicants will be subject to Seaside Municipal Code Section 8.46.130.B which addresses the City's Best Management Practices Guidance Series and includes appropriate Best Management Practices to control the volume, rate, and potential pollutant load of stormwater runoff from new development projects, as may be appropriate to minimize the generation, transport, and discharge of pollutants. The City will incorporate such requirements in any land use entitlement and construction or building-related permit to be issued relative to such development. The owner and developer will be required to comply with the terms, provisions, and conditions of such land use entitlements and building permits as required by Seaside Municipal Code Chapter 8.46.

The policies discussed above in conjunction with HAZ-1 which requires preparation and submittal of a Stormwater Control Plan in compliance with the Central Coast Regional Water Quality Control Board Order R3-2013-0032 with their permit application and HAZ-2 which requires the preparation of an Equestrian Management Plan, will reduce potential long term operational water quality impacts to less than significant.

2. Drainage

Project implementation will develop undeveloped pervious land, which will substantially increase the amount of impervious surfaces, thereby altering the existing drainage pattern and amount of surface runoff resulting in a potential increase in peak stormwater flows (i.e., 100-year storm events).

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure imposed upon the Project mitigates impacts to less than significant levels:

HYD-3 Prior to Grading Permit issuance for any development draining into basin 17E (R-1 Planning Area), additional design details to add freeboard shall be determined to the satisfaction of the City Engineer. Options to be considered include, but are not limited, to the following: directing more flow to 15A; increasing the underground storage; or directing flow to basins along Parker Flats. A minimum of one-foot of freeboard shall be incorporated into the final design of basin 17E. During final design and prior to grading permit issuance for any development draining into Basin 174 (R-1 Planning Area), additional design details to add freeboard shall be determined to the satisfaction of the City Engineer.

HYD-4 During final design and prior to Grading Permit issuance, site specific geotechnical testing shall be conducted to confirm that the infiltration rates assumed in

DRAFT CEQA FINDINGS

the Monterey Downs Preliminary Hydrology Study (Diamond West Incorporated, June 18, 2014) remain applicable to each area. The final infiltration rates shall be calculated using appropriate standard engineering practices to adjust from the measured rate and the design rate.

The infiltration rates shall comply with the guidelines and standards specified in the FORA Storm Water Master Plan (Creegan and D'Angelo, March 2005), including the infiltration rate of 12 inches per hour, in order to ensure long-term performance, to the satisfaction of the City of Seaside Public Works Director.

HYD-5 Future maintenance programs and Covenants Codes & Restrictions (CC&R) documents shall include sections regarding maintenance of the basins. Removal of silt and debris shall be conducted at a frequency to be determined by the City Engineer, in order to retain the level of infiltration expected.

(b) Facts in Support of the Findings

Pursuant to SMC Section 15.32.090, each application for a permit must be accompanied by a civil engineering report that will include: hydrological calculations of runoff for 10-year and 100 year storm frequencies; conclusions and recommendations for adequate erosion control and grading procedures; comparison of runoff without and with the Project; design criteria for corrective measures, including the existing and/or required safe storm drainage capacity outlet of channels both on-site and off-site; and opinions and recommendations covering adequacy of the site to be developed by the proposed grading. All of the proposed basins other than the 17E park basin are designed to have excess capacity, thus, will have freeboard, as required by the Fort Ord Reuse Authority Storm Water Management Plan. For 17E, additional design details to add freeboard will be determined as required by Mitigation Measure HYD-3. Mitigation Measure HYD-4 is proposed to confirm infiltration rates and Mitigation Measure HYD-5 is proposed to ensure basin maintenance. Compliance with the Seaside Municipal Code and Mitigation Measures HYD-3 through HYD-5 will ensure the Project will not increase the rate/amount of surface run-off such that flooding will occur. Therefore, the Project will result in a less than significant impact involving drainage.

H. LAND USE PLANNING

The Project's potential land use planning impacts that can be mitigated or are otherwise less than significant are discussed in Section 4.9, Land Use Planning, of the Draft EIR. Identified impacts include cumulative impacts.

DRAFT CEQA FINDINGS

1. Cumulative Impacts

Project incompatibility with Base Reuse Plan policies and programs will result in cumulative land use/planning impacts associated with the Project's incremental effects and those of the cumulative projects, which include land use compatibility and consistency with land use plans/policies/regulations.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, compliance with Mitigation Measure W-1 and the following Base Reuse Plan policies imposed upon the Project mitigates impacts to less than significant levels:

Residential Land Use Policy D-1, Residential Land Use Policy B-1, Residential Land Use Policy E-1, Residential Land Use Policy E-2, Residential Land Use Policy I-1, Residential Land Use Policy I-2, Commercial Land Use Policy B-3, Commercial Land Use Policy D-1, Commercial Land Use Policy E-1, Commercial Land Use Policy F-1, Commercial Land Use Policy F-2, Recreation/Open Space Policy D-1, Recreation/Open Space Policy D-2, Recreation/Open Space Policy G-3, Soils and Geology Policy A-2, Soils and Geology Policy A-5, Hydrology and Water Quality Policy B-1, Hydrology and Water Quality Policy B-2, Hydrology and Water Quality Policy C-7, Biological Resources Policy A-1, Biological Resources Policy B-1, Biological Resources Policy C-1, Biological Resources Policy C-2, Biological Resources Policy C-3, Biological Resources Policy D-1, Cultural Resources Policy A-1, Cultural Resources Policy A-2, Cultural Resources Policy B-1, Noise Policy B-1, Noise Policy B-2, Noise Policy B-3, Noise Policy B-4, Noise Policy B-5, Noise Policy B-6, Noise Policy B-7, Noise Policy B-8, Noise Policy B-9, Seismic and Geologic Hazards Policy A-2, Fire, Flood, and Emergency Management Policy A-1, Fire, Flood, and Emergency Management Policy A-4.

(b) Facts in Support of the Findings

Cumulative projects will be evaluated on a project-by-project basis, as they are implemented within Seaside and the other jurisdictions. Each cumulative project will undergo a similar development review process as the proposed Project, to determine potential land use plan, policy, or regulation conflicts. Each cumulative project will be analyzed independently and within the context of their respective land use and regulatory settings. As part of their review process, each project will be required to demonstrate compliance with the provisions of the applicable land use designation(s) and zoning district(s). It is assumed that cumulative development will progress in accordance with the Base Reuse Plan. Each cumulative project

DRAFT CEQA FINDINGS

will be analyzed to ensure that the goals and policies of the Base Reuse Plan and respective General Plans, and regulations and guidelines of the respective Municipal Codes are consistently upheld. Base Reuse Plan Hydrology and Water Quality policies B-1 and B-2 require that the City ensure additional water to critically deficient areas and condition approval of development plans on verification of an assured long-term water supply for the projects.. The Project will comply with all above Base Reuse Plan policies which will ensure land use compatibility and consistency with land use plans/policies/regulations.

I. NOISE

The Project's potential impacts on noise that can be mitigated or are otherwise less than significant are discussed in Section 4.10, Noise, of the Draft EIR. Identified impacts include construction noise impacts and stationary noise impacts.

1. Construction Noise Impacts

Construction-related noise, including the transport of workers and equipment to construction sites, as well as the noise related to active construction equipment, could have an adverse effect on sensitive receptors. This would be a significant impact.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure imposed upon the Project mitigates impacts to less than significant levels:

NOI-1 Construction Noise Reduction Measures. Prior to the issuance of demolition permits or ground disturbing activities (whichever occurs first), the Contractor shall demonstrate to the satisfaction of the City of Seaside Planning Division that the Project complies with the following:

- Construction contracts specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state required noise attenuation devices.
- Property occupants located in a three hundred foot radius from the Project boundary shall be sent a notice, at least 15 days prior to commencement of construction of each phase, regarding the Project's construction schedule. A sign, legible at a distance of 50 feet, shall also be posted at the Project construction site. All notices and signs shall be reviewed and approved by the City of Seaside Planning Division prior to mailing or posting and shall indicate

DRAFT CEQA FINDINGS

the dates and duration of construction activities, as well as provide a contact name and a telephone number where residents can inquire about the construction process and register complaints.

- The Contractor shall provide evidence that a construction staff member will be designated as a Noise Disturbance Coordinator and will be present on-site during construction activities. The Noise Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Noise Disturbance Coordinator shall notify the City within 24-hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Planning Division. All notices that are sent to residential units immediately surrounding the construction site and all signs posted at the construction site shall include the contact name and the telephone number for the Noise Disturbance Coordinator.
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.
- Construction activities shall occur between the hours of 7:00 AM and 7:00 PM daily (except Saturday, Sunday, and holidays when the construction hours are between 9:00 AM and 5:00 PM) pursuant to SMC Section 9.12.030 and Section 17.30.060.

(b) Facts in Support of the Findings

The closest sensitive receptors to the Project site are the residential uses, which are 2,600 feet to the north and 200 feet to the west, and Chartwell School, which is 650 feet to the west. Mitigation Measure NOI-1 will reduce construction noise associated with future development through the use of site-specific noise reduction features. Specifically, Mitigation Measure NOI-1 will require the use of the best available noise control techniques, as well as requiring alternatives to pneumatic power tools. Mitigation Measure NOI-1 also includes measures to respond to and track complaints related to construction noise. With implementation of Mitigation Measure NOI-1, short-term construction noise impacts to sensitive receptors will be reduced to less than significant.

2. Stationary Noise Impacts

The Project will result in an increase in stationary noise impacts associated with the equestrian track, sports arena, and the swim center, which are potentially significant noise sources.

DRAFT CEQA FINDINGS

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure imposed upon the Project mitigates impacts to less than significant levels:

NOI-2 Sports Arena Noise Management Program. Prior to issuance of building permits for the Monterey Downs Equestrian Training Track and Sports Arena (REC-2 Planning Area), a Noise Management Program shall be prepared to provide sufficient noise attenuation measures to meet the 65 dBA standard in the Fort Ord Reuse Plan, and Seaside Municipal Code Sections 9.12 (Noise Regulations) and 17.30.060 (Noise Standards). The Noise Management Program shall include, but is not limited to, specifications for a monitoring system and sound wall barrier or berm, and noise-level limits on the use of a public address/announcement systems. The Noise Management Program shall be submitted for review and approval to the City of Seaside Building and Safety and Planning Divisions of the Resource Management Services Department.

NOI-3 Swim Center. Prior to issuance of building permits for the proposed C-1 Planning Area swim center, the following multi-part mitigation program shall be specified in applicable Project plans and specifications:

- All swim events occurring at the pool shall be restricted to 7:00 AM to 10:00 PM, Monday through Sunday and the sound levels shall be reduced in compliance with the Fort Ord Reuse Plan and City of Seaside Noise Ordinance regulations.
- Pool mechanical equipment, such as pool pumps and filters, shall be fully enclosed.
- To ensure no additional impacts to nearby residential uses, the permissible hours of operation of the PA system shall be restricted to 7:00 AM to 10:00 PM.
- The PA system speakers shall be located and shielded to directionally focus the emitted sound away from the R-2 Planning Area residential uses located southwest of the Project site (i.e., they should be directionally focused to the north and/or downward to the center of the pool).
- Noise complaints shall be addressed within 30 minutes of receipt. Swim center staff shall be responsible for responding to any complaints about the center's noise levels. Additionally, when a complaint is received, the swim center staff shall notify the City within 24 hours of the complaint. The swim center staff shall determine the cause of the noise complaint and implement reasonable measures to resolve the complaint, as deemed acceptable by the Seaside Planning

DRAFT CEQA FINDINGS

Division. A written record shall be kept on file at the swim center for 12-month period.

(b) Facts in Support of the Findings

Mitigation Measure NOI-2 requires a Noise Management Program to provide sufficient noise attenuation measures including specific details of the monitoring system and sound wall barrier or berm, and public address/announcement systems. Mitigation Measure NOI-3 requires that the proposed swimming pool facility provide control measures, if necessary, to ensure compliance with the Base Reuse Plan noise standards and the City's Noise Ordinance to reduce specific noise impacts of the swim center on nearby sensitive receptors. With implementation of Mitigation Measure NOI-3, impacts will be less than significant.

J. FIRE PROTECTION

The Project's potential impacts related to fire protection that can be mitigated or are otherwise less than significant are discussed in Section 4.12, Fire Protection, of the Draft EIR. Identified potential impacts include fire protection services at both the Project level and cumulatively.

1. Fire Protection Services

Fire protection services could be adequately provided to the Project by the City of Seaside Fire Department (1635 Broadway Avenue in Seaside), which will include mutual aid and/or automatic aid with the Monterey Regional Fire Protection District (future East Garrison Fire Station in unincorporated Monterey County) and/or the POM (4400 General Jim Moore Boulevard in Seaside). However, the potential exists that the East Garrison Fire Station will not be constructed/operational and/or the POM terminates its lease. If the East Garrison Fire Station is not constructed and/or the POM terminates its lease, the City will require development of the new fire station, the environmental impacts of which, are evaluated in the EIR.

(a) Findings

Changes or alterations have been required in the Project that ensure the necessary adequate fire protection facilities as identified in the Draft EIR. Specifically, the following Mitigation Measure imposed upon the Project ensure adequate fire protection will be available:

FP-1 Prior to issuance of the first grading permit, the Project Applicant or first developer of the Project site shall prepare a Fire Protection Services Plan, which shall be submitted for review and approval to the City of Seaside Fire Chief and City Manager. Said Plan shall:

DRAFT CEQA FINDINGS

- Include, but not be limited to, emergency response times to each Project component from all stations available to serve the site.
- Detail how much of the Project can be served by the existing fire facilities, as well as through mutual and automatic aid agreements with other fire service providers (as discussed herein), and when, if necessary, dedication of an onsite fire station site and construction of an onsite fire station (or other location) will be required.
- If the Fire Protection Services Plan determines that dedication of an onsite fire station site is required, the Applicant shall dedicate said fire station site (i.e., 3.0-acres) to the City of Seaside at no cost to the City.

FP-2 Prior to issuance of the first grading permit, the Project Applicant shall enter into a Disposition and Development Agreement with the City that will address the fees necessary to cover costs associated with the provision of fire protection services and the necessary staffing, equipment, and facilities.

(b) Facts in Support of the Findings

Mitigation Measure FP-1 requires preparation of a Fire Protection Services Plan detailing how much of the Project can be served by existing fire facilities, as well as through mutual and automatic aid agreements with other fire service providers, and when, if necessary, dedication of an onsite fire station site and construction of an onsite fire station (or other location) will be required. The Project proposes to dedicate, at no cost to the City, a 3.0-acre parcel for construction of a fire station in the public facilities (PF) Planning Area. Given that the City does not have an adopted development impact fee program and to further ensure that adequate fire protection services are provided, Mitigation Measure FP-2 requires that the Project Applicant enter into a Disposition and Development Agreement with the City. The fees to cover costs associated with the provision of public services for each Project phase, including fire protection services will be negotiated through the Disposition and Development Agreement. Costs will be proportional for each phase of the development. Potential impacts associated with fire protection services will be reduced to a less than significant following compliance with Mitigation Measures FP-1 and FP-2.

2. Cumulative Impacts

Implementation of the Base Reuse Plan will result in an increased demand for new fire protection and emergency response services resulting from development and associated population growth. The Project will generate an increased demand for fire protection services, including for additional equipment and facilities. Although the three fire stations will provide adequate fire protection services to the Project, the potential exists that the East Garrison Fire

DRAFT CEQA FINDINGS

Station is never constructed/operational and/or the POM terminates its lease which could result in cumulatively considerable impacts when considered with the impacts of other projects.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the implementation of Mitigation Measures FP-1 and FP-2, discussed above, and the following Base Reuse Plan policies mitigate the impacts to less than significant levels:

Fire, Flood, and Emergency Management Policy A-1, Program A-1.1; Fire, Flood, and Emergency Management Policy A-2; Fire, Flood, and Emergency Management Policy A-3, Program A-3.1, Program A-3.2; Fire, Flood, and Emergency Management Policy A-4; Fire, Flood, and Emergency Management Policy C-1, Program C-1.1, Program C-1.2, Program C-1.3.

(b) Facts in Support of the Findings

The Base Reuse Plan Policies and Programs provide guidelines, agreements and planning measures to facilitate increased demand, but they fail to ensure an adequate funding mechanism for these services. However, the Project proposes to dedicate a 3.0-acre parcel for construction of a fire station in the public services (PF) Planning Area. Additionally, Mitigation Measure FP-1 requires preparation of a Fire Protection Services Plan that will determine if dedication of an onsite fire station site and construction of an onsite fire station are necessary, and Mitigation Measure FP-2 requires that the Project Applicant enter into a Disposition and Development Agreement with the City that addresses the fees necessary to cover costs. Therefore, the Project's impacts to fire protection services will not be cumulative considerable.

K. POLICE PROTECTION

The Project's potential impacts on police protection that can be mitigated or are otherwise less than significant is discussed in Section 4.13, Police Protection, of the Draft EIR. Identified potential impacts include inadequate police protection services at the Project level and cumulatively.

1. Police Protection Services

The Project will generate an increased demand for police protection services, including for additional officers, equipment (e.g., patrol cars), and facilities which is a potentially significant impact.

DRAFT CEQA FINDINGS

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the following mitigation measure imposed upon the Project mitigates impacts to less than significant levels:

PP-1 Prior to issuance of the first grading permit, the Project Applicant or first developer of the Project site shall prepare a Police Protection Services Plan, which shall be submitted for review and approval to the City of Seaside Police Chief and City Manager. Said Plan shall:

- Include, but not be limited to, emergency response times to each Project component.
- Detail how much of the Project can be served by the existing police facilities and when dedication of an onsite police sub-station site and construction of an onsite police sub-station would be required.
- If the Police Protection Services Plan determines that dedication of an onsite police sub-station site is required, the Applicant shall dedicate said police sub-station site to the City of Seaside at no cost to the City.

PP-2 Prior to issuance of the first grading permit, the Project Applicant shall to enter into a Disposition and Development Agreement with the City that will address the fees necessary to cover costs associated with the provision of police protection services and the necessary staffing, equipment, and facilities.

(b) Facts in Support of the Findings

Mitigation Measure PP-1 requires preparation of a Police Protection Services Plan which details how much of the Project can be served by existing police facilities, and when dedication of an onsite police sub-station site and construction of an onsite police sub-station (or other location) will be required. Given that the City does not have an adopted development impact fee program, and to further ensure that adequate are provided, Mitigation Measure PP-2 requires that the Project Applicant enter into a Disposition and Development Agreement with the City. The fees to cover costs associated with the provision of public services for each Project phase, including police protection services, will be negotiated through the Disposition and Development Agreement. Costs will be proportional for each phase of the development. In compliance with Implementation Plan LU-10.1.1, Adequate Law Enforcement, the City will review the level of services, facilities, and funding levels at budget time, adjusting when necessary to ensure that adequate levels of service and facilities are provided and maintained. Impacts to police

DRAFT CEQA FINDINGS

protection services will be reduced to a less than significant through compliance with Implementation Plan LU-10.1.1, and Mitigation Measures PP-1 and PP-2.

2. Cumulative Impacts

Implementation of the Base Reuse Plan will result in increased demand for new police protection resulting from development and associated population growth. The Project will generate an increased demand for police protection services, including for additional officers, equipment (e.g., patrol cars), and facilities. Development of the proposed Project, when considered Base Reuse Plan buildout and other related projects, could result in cumulatively considerable impacts.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the implementation of Mitigation Measures PP-1 and PP-2, discussed above, and Base Reuse Plan Policy Fire, Flood, and Emergency Management Policy C-1 mitigate the impacts to less than significant levels.

(b) Facts in Support of the Findings

The Base Reuse Plan Policies and Programs provide guidelines, agreements and planning measures related to the increased demand, however, they fail to ensure an adequate funding mechanism to fund these services. Mitigation Measure PP-1 requires preparation of a Police Protection Services Plan and Mitigation Measure PP-2 requires that the Project Applicant enter into a Disposition and Development Agreement with the City that addresses the fees necessary to cover costs associated with the provision of police protection services and the necessary staffing, equipment, and facilities which will reduce impacts to less than significant.

L. **TRAFFIC AND TRANSPORTATION**

The Project's impacts on traffic and transportation that can be mitigated or are otherwise less than significant are discussed in Section 4.17, Traffic and Transportation, of the Draft EIR. Identified potential impacts that can and will be mitigated to a less than significant level are Project construction traffic, level of service impact at Colonel Durham Street and 7th Avenue, and short term special events traffic..

1. Project Construction Traffic

The construction phase will increase the number of daily truck trips in the Project vicinity while the site is graded and materials are delivered. All truck movements to and from the site during construction will likely occur via Gigling Road, or Eastside Parkway if it is constructed, with

DRAFT CEQA FINDINGS

secondary construction access via Normandy Road and Parker Flats Road. Large numbers of heavy vehicles trips on the area road network during Project construction could significantly impact the level of service on the surrounding roadway network.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure imposed upon the Project mitigates impacts to less than significant levels:

TRA-1 Construction Traffic Mitigation Plan(s). Prior to the issuance of any grading permit or any permit that authorizes construction activities within the Specific Plan area or at offsite locations for improvements associated with the Specific Plan, the Project Applicant(s) shall prepare a Construction Traffic Mitigation Plan(s) for review and approval by the City of Seaside as part of the permit application. The Construction Traffic Mitigation Plan(s) shall include measures to minimize the construction traffic volumes entering the roadway system (including local roads) during AM and PM peak hours. The Construction Traffic Mitigation Plan(s) shall prohibit construction traffic from traversing California State University Monterey Bay. The Construction Traffic Mitigation Plan(s) shall also include measures to minimize the number of truck trips on Normandy Road and route heavy vehicle traffic to driveways on Gigling Road and at Monterey Downs Road to access the site during the Project's construction phase to the extent feasible. At a minimum, the Construction Traffic Mitigation Plan(s) shall include the following implementation measures:

- Construction truck routes shall be prepared to designate principal haul routes for trucks delivering materials to and from the construction site.
- Should a temporary road and/or lane closure be necessary during construction, the Project Applicant shall provide traffic control activities and personnel, as necessary, to minimize traffic impacts. This may include detour signage, cones, construction area signage, flagmen, and other measures as required for safe traffic handling in the construction zone.
- The Project Applicant shall keep a minimum of one lane in each direction free from encumbrances at all times on perimeter roads accessing the Project site. In the event a full road closure is required, the contractor shall coordinate with the City of Seaside and other affected jurisdictions (i.e., City of Marina, California State University Monterey Bay, Fort Ord Reuse Authority, Caltrans, Monterey-Salinas Transit, and/or County of Monterey) to designate proper detour routes and signage to appropriate proper access routes.

DRAFT CEQA FINDINGS

(b) Facts in Support of the Findings

Mitigation Measure TRA-1 requires the preparation and implementation of a Construction Traffic Mitigation Plan. This plan includes measures to minimize the number of truck trips on Normandy Road and route heavy vehicle traffic to driveways on Gigling Road and at Monterey Downs Road to access the site during the Project's construction phase to the extent feasible. This will reduce potential construction related traffic impacts to a less than significant level.

2. Existing with Project Conditions - Intersection #8 (Colonel Durham and 7th Avenue) Falls from acceptable level of service B in the AM and PM peak hours, to unacceptable level of service E in the AM peak hour and F in the PM peak hour (without Eastside Parkway)

Based on agency-established thresholds of significance, the addition of Project-generated trips is forecast to cause a significant impact at this intersection for Existing with Project conditions.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure imposed upon the Project mitigates impacts to less than significant levels:

TRA-3 Construct a traffic signal or roundabout at Intersection #8: Colonel Durham Street and 7th Avenue. Construct a traffic signal or roundabout at Intersection #8: Colonel Durham Street and 7th Avenue. The Project Applicant shall submit payment of a fair share of the improvements described below prior to issuance of building permits.

In terms of when the improvements would need to be constructed, as part of the application process for the site-specific development under the Specific Plan, the Applicants for each development pursuant to the Specific Plan shall submit a Trip Generation Study. This information shall be utilized by the City to determine whether the relevant trip generation thresholds are met, taking into account past Project trip generation studies and the running cumulative total. The City may also take actual traffic counts and operations at the mitigation locations into account (funded by the Applicant), in determining when specific improvements need to be constructed.

When the Project's development application is projected to generate 2,487 or more PM peak hour trips (97 percent of total Project trips) cumulatively at Intersection #8, which shall be verified by the Seaside City Engineer at the time of Building Permit application, this improvement shall be constructed. All improvements to this intersection shall be subject to review and approval by CSUMB.

DRAFT CEQA FINDINGS

(b) Facts in Support of the Findings

Implementation of Mitigation Measure TRA-3 requires construction of a traffic signal or roundabout at the Colonel Durham Street and 7th Avenue intersection when 2,487 or more PM peak hour trips are projected to be generated by the Project's development will ensure that this intersection operates at an acceptable level of service and that the Applicant(s) fund their fair share of this improvement which will mitigate impacts to a less than significant level.

3. Short Term-Operational Impacts-Special Events Level of Service

While temporary in nature, events related to the operation of the proposed Project will attract a potentially significant number of vehicles and, depending on the timing, could temporarily cause traffic congestion local and regional roadways. This is considered a significant short-term impact.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure imposed upon the Project mitigates impacts to less than significant levels:

TRA-8 Preparation of an Annual Special Events Traffic and Emergency Services Management Plan. Prior to the issuance of a special use permit, the permit Applicant shall prepare a special events traffic and emergency services management plan (Events Management Plan) for review and approval by the City of Seaside. The Events Management Plan shall identify the proposed dates for the special events, an event routing plan in ingress and egress, an off-site parking management plan (if necessary), and plans for the coordinated support for emergency services including police, fire, and emergency services.

The traffic management plan shall require traffic control measures to address potential congestion. These measures may include, but are not limited to, lane control features such as cones, temporary signage, remote park and ride parking lots, use of flagmen to direct traffic, involvement on the Sheriff's Department to direct traffic, management through event timing restrictions, or other measures including but not limited to, signs and/or monitors to prohibit special event parking in the trailhead parking lots. These measures must be deemed feasible and adequate by the City of Seaside Public Works and Emergency Services Departments.

The Events Management Plan shall be prepared in coordination with other relevant state and local agencies including the California Highway Patrol, the Monterey County Office

DRAFT CEQA FINDINGS

of Emergency Services, the Bureau of Land Management, California State University Monterey Bay, Monterey-Salinas Transit, and the City of Marina.

(b) Facts in Support of the Findings

Seaside Municipal Code Chapter 5.52 requires a permit from the special license and permit board (Board) as provided in Seaside Municipal Code Chapter 2.34 before special events can be held. The Board may approve a license or permit subject to reasonable conditions necessary to protect the health, safety, peace, morals, and general welfare of the public. Each of the special events held at the Project site will be required to apply for a permit from the Board. Additionally, Mitigation Measure TRA-8 requires that the equestrian training track and sports arena operator prepare an annual special events traffic and emergency services management plan to address the broader issues associated with traffic management and emergency incident management not covered by the permit. Implementation of the Seaside Municipal Code and Mitigation Measure TRA-8 will reduce impacts to a less than significant level.

4. Existing With Project Conditions Intersection # 36 (Coe Avenue and General Jim Moore Boulevard) Operates with a significant increase in delay at unacceptable level of service F in the AM peak hour, and falls from unacceptable level of service D to E in the PM peak hour (With Eastside Parkway)

Based on agency-established thresholds of significance, the addition of Project-generated trips is forecast to cause a significant impact at this study intersection for Interim Year 2018 with Eastside Parkway with Project conditions.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure, in addition to Mitigation Measure 2, discussed later in these findings, imposed upon the Project mitigates impacts to less than significant levels:

TRA-9 Intersection #36: Coe Avenue and General Jim Moore Boulevard. Widen and restripe the intersection to include one northbound left turn lane, two northbound through lanes, one eastbound left turn lane, one eastbound shared through-right right lane, one eastbound right turn lane, two westbound left turn lanes, and one westbound shared through-right turn lane.

Prior to issuance of building permits, the Project Applicant shall install or fund the improvements at the intersection. The Project Applicant shall enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the Project Applicant's fair share. (Fair share costs for cumulative impacts based on estimated 2013 Project costs to be adjusted annually on July 1 by the Engineering Record's Construction Cost Index).

DRAFT CEQA FINDINGS

(b) Facts in Support of the Findings

Implementation of Mitigation Measure TRA-9 improves the level of service at this intersection under this scenario from unacceptable level of service F in the AM peak hour and unacceptable level of service E in the PM peak hour, to acceptable level of service C in both the AM and PM peak hours. Therefore, implementation of this Mitigation Measure would reduce the impact to a less than significant level.

5. Cumulative With Project Conditions Intersection # 36 (Coe Avenue and General Jim Moore Boulevard) Operates at unacceptable level of service F in the AM and PM peak hours (With Eastside Parkway)

Based on agency-established thresholds of significance, the addition of Project-generated trips is forecast to cause a significant impact at Intersection # 36 (Coe Avenue and General Jim Moore Boulevard intersection for Cumulative With Project Impacts.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, TRA-9 previously discussed, and TRA-2 discussed later in these findings, mitigates the impact to a less than significant levels:

(b) Facts in Support of the Findings

Mitigation measure TRA-2 and TRA-9 require improvements at Coe Avenue and General Jim Moore Boulevard which will ensure that these intersections are able to operate at an acceptable level of service C in the AM peak hour and level of service B in the PM peak hour with Project implementation. These measures also require either implementation or a fair share contribution to the construction of the improvement by the Applicant(s) prior to the issuance of building permits. Implementation of TRA-2 and TRA-9 will reduce impacts related to unacceptable levels of service at this intersection to a less than significant level.

6. Cumulative With Project Conditions Intersection #39 LOS (Broadway Avenue and General Jim Moore Boulevard) Operates with a significant increase in delay at unacceptable level of service E in the AM peak hour.

Based on agency-established thresholds of significance, the addition of Project-generated trips is forecast to cause a significant impact at this intersection for Cumulative with Project Impacts:

DRAFT CEQA FINDINGS

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure imposed upon the Project mitigates the impact to a less than significant level:

TRA-18 Prior to issuance of building permits, the Project Applicant shall install or fund the improvements at the City of Seaside intersection indicated below. The Project Applicant shall enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the Project Applicant's fair share. (Fair share costs for cumulative impacts based on estimated 2013 Project costs to be adjusted annually on July 1 by the Engineering Record's Construction Cost Index).

Intersection #39: Broadway Avenue and General Jim Moore Boulevard. Widen and restripe the intersection to include one southbound through lane, one southbound shared through-right lane, and one southbound right turn lane.

(b) Facts in Support of the Findings

Mitigation measure TRA-18 requires the widening and restriping of the intersection at Broadway Avenue and General Jim Moore Boulevard, which will ensure that these intersections are able to operate acceptable level of service C in the AM peak hour and level of service B in the PM peak hour with Project implementation under cumulative conditions. This measure also requires either implementation or a fair share contribution to the construction of the improvement by the Applicant(s) prior to the issuance of building permits. Implementation of TRA-18 will reduce impacts related to unacceptable levels of service at intersections 39 to a less than significant level.

M. WASTEWATER

The Project's potential impacts on wastewater that can be mitigated or are otherwise less than significant is discussed in Section 4.18, Wastewater, of the Draft EIR. Identified potential impacts include wastewater infrastructure.

1. Wastewater Infrastructure

Due to the depth of the existing sewer and the elevation of the proposed improvements, gravity sewer service to the system will not be possible. Therefore, a sewer lift station is proposed between the proposed veterans cemetery administration and maintenance buildings. From the lift station, a two-inch force main will be constructed within the utility corridor along the western boundary of the Project site to the northwest corner of the property. From this point, the two-inch force main will be extended northwest along the road to the existing 12-inch sanitary

DRAFT CEQA FINDINGS

sewer main and will connect at an existing Marina Coast Water District manhole. The construction of new wastewater infrastructure could result in potentially significant impacts.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure imposed upon the Project mitigates impacts to less than significant levels:

WW-1 Obtain Wastewater Improvement Plans and Permits. To ensure that wastewater infrastructure is adequate to serve the proposed Project, the Project Applicant shall submit design-level infrastructure plans to the sewer collection agency for review and approval. Infrastructure plans shall be prepared and certified by a registered professional engineer and completed to the satisfaction of the District Engineer during each Project phase, prior to the issuance of any grading and/or building permit.

All applicable fees and assessments, as determined by the sewer collection agency and the sewer treatment agency shall be paid to the sewer collection agency and the sewer treatment agency prior to the issuance of any grading and/or building permit. The Project Applicant shall submit a sewer permit and proof of payment to the City of Seaside, as evidence documenting compliance with this measure.

(b) Facts in Support of the Findings

Mitigation Measure WW-1 requires review/approval of infrastructure plans by the Marine Coast Water District, as well as payment of applicable Fort Ord Reuse Authority fees for improvements associated with the Fort Ord Reuse Authority Capital Improvement Plan. As previously noted, the Water and Wastewater Oversight Committee addresses funding for wastewater improvements and expansions, and provides a tracking mechanism to ensure that improvements to, and expansion of, the systems are in sequence with development needs. The Project's necessary improvements will be funded by the collected customer rates, fees, and charges. Thus, implementation of Mitigation Measure WW-1 reduces impacts related to wastewater infrastructure to a less than significant level.

N. WATER

The Project's potential impacts on water that can be mitigated or are otherwise less than significant are discussed in Section 4.19, Water, of the Draft EIR. Identified potential impacts include water infrastructure and reclaimed water impacts.

DRAFT CEQA FINDINGS

1. Water Infrastructure

The Project will require construction of new water infrastructure in order to address existing infrastructure deficiencies identified by the Marina Coast Water District which is a potentially significant impact.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure imposed upon the Project mitigates impacts to less than significant levels:

W-2 Obtain Marina Coast Water District Water Permits. To ensure that water infrastructure is adequate to serve each future development that implements the Specific Plan, the Applicants of said development(s) shall submit design-level infrastructure plans, pursuant to the Marina Coast Water District's Procedures, Guidelines, and Design Requirements (PGDR), to the satisfaction of the Marina Coast Water District prior to the issuance of any grading and/or building permit. Project plans shall be designed by a registered engineer and shall be in conformance with Marina Coast Water District engineering specifications. The Applicant(s) shall obtain a water permit from Marina Coast Water District prior to issuance of any grading and/or building permit. All applicable fees, as determined by Marina Coast Water District at the time of application submittal, shall be paid to Marina Coast Water District prior to the issuance of any grading and/or building permit by the City of Seaside. The Applicant(s) shall submit an approved water system permit to the City of Seaside City Engineer/Public Works Services Manager as evidence documenting compliance with this Mitigation Measure.

W-3 Water Supply Augmentation Improvements. To ensure planned recycled infrastructure improvements are constructed to serve each future development that implements the Specific Plan, the Applicant(s) of said developments shall comply with one of the following measures:

- Paying their fair share of the appropriate Fort Ord Reuse Authority fees, a portion of which is allocated for water supply augmentation improvements as identified in the most recent version of the Fort Ord Reuse Authority Capital Improvement Plan prior to the issuance of any building permits. The Applicant(s) shall submit evidence to the City of Seaside demonstrating that Fort Ord Reuse Authority impact fees have been paid, prior to the issuance of any certificate of occupancy; or,

DRAFT CEQA FINDINGS

- Construct the improvements subject to the provisions of a reimbursement agreement which would establish mechanisms for compensation as other developments tie into the system.

(b) Facts in Support of the Findings

Future development within the Specific Plan area will be required to obtain appropriate permits with the Marina Coast Water District, as well as pay applicable Fort Ord Reuse Authority fees for improvements associated with the Fort Ord Reuse Authority Capital Improvement Plan. Additionally, Mitigation Measures W-2 and W-3 will ensure water infrastructure is adequate to serve the proposed Project, which will reduce potential impacts to a less than significant level with regard to water infrastructure.

2. Reclaimed Water

The Project will construct reclaimed water service infrastructure as part of its water service infrastructure development program to prepare for the availability of recycled water within the Project area which is a potentially significant environmental impact.

(a) Findings

Changes or alterations have been required in the Project that avoid or substantially lessen the significant related environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure imposed upon the Project mitigates impacts to less than significant levels:

W-4 Obtain Recycled Water Improvement Plans and Permits. To ensure that the planned recycled water infrastructure per Mitigation Measure W-3 will be adequate to serve each implementing development of the Specific Plan, the Applicant(s) of said development(s) shall submit design-level infrastructure plans pursuant to the Marina Coast Water District's Procedures, Guidelines, and Design Requirements (PGDR), to the satisfaction of the Marina Coast Water District prior to the issuance of any grading and/or building permit.

Such plans shall be designed by a registered engineer in conformance with Marina Coast Water District's engineering specifications. Applicant(s) shall obtain applicable permit(s) from Marina Coast Water District prior to issuance of any grading and/or building permit. All applicable fees, as determined by the Marina Coast Water District at the time of application submittal, shall be paid to Marina Coast Water District prior to the issuance of any grading and/or building permit by the City of Seaside. Applicant(s) shall submit approved permit(s), as applicable, to the City of Seaside City Engineer/Public Works Services Manager as evidence documenting compliance with this measure.

DRAFT CEQA FINDINGS

(b) Facts in Support of the Findings

Mitigation Measure W-4 requires that future development within the Specific Plan area obtain applicable permits from the Marina Coast Water District prior to issuance of any grading and/or building permit, at which time applicable fees will be paid toward recycled water infrastructure, if applicable. With implementation of Mitigation Measure W-4, impacts in this regard will be less than significant.

1. Cumulative Impacts-Reclaimed Water

The construction of reclaimed water infrastructure, when considered with other Base Reuse Plan developments, may be a cumulatively considerable impact.

(a) Findings

Changes or alterations have been required in the Project that substantially lessen the Project's environmental effect as identified in the Draft EIR. Specifically, Mitigation Measure W-4, previously discussed, lessens the impact to less than significant.

(b) Facts in Support of the Findings

The proposed Project will construct water infrastructure necessary to support the proposed Project development. With implementation of Mitigation Measure W-4, future development within the proposed Project area will be required to obtain applicable permits from the Marina Coast Water District prior to issuance of any grading and/or building permit, at which time applicable fees will be paid toward recycled water infrastructure, if applicable. With implementation of Mitigation Measure W-4, impacts in this regard will be reduced to less than significant. Cumulative projects will be required to consider their demand for reclaimed water and any need for new facilities will be considered on a project-by-project basis. Compliance with Mitigation Measure W-4 will ensure that project impacts pertaining to reclaimed water will not be cumulatively-considerable.

DRAFT CEQA FINDINGS

VII ENVIRONMENTAL EFFECTS THAT REMAIN SIGNIFICANT AND POTENTIALLY UNAVOIDABLE AFTER MITIGATION BECAUSE MITIGATION IMPLEMENTATION IS THE RESPONSIBILITY OF ANOTHER AGENCY

For the following impacts, changes or alterations in the project in the form of mitigation has been imposed to the extent feasible. However, as discussed below, these changes or alterations are within the responsibility and jurisdiction of another public agency and not within the jurisdiction of the City of Seaside. Accordingly, while the City finds that such mitigation as discussed below can or should be adopted by the other agencies specified below, the City cannot compel that and, there the City finds that the environmental effects discussed below will remain significant unavoidable.

A. Traffic

1. Existing with Project Conditions-Intersections #1, 2, 5, 15, 36 Unacceptable Level of Service Impacts (Without Eastside Parkway)

Based on agency-established thresholds of significance, the addition of Project-generated trips is forecast to result in an unacceptable level of service at each of the following intersections for Existing with Project conditions:

- Intersection #1: Gigling Road and 8th Avenue (falls from acceptable level of service A in both the AM and PM peak hours to unacceptable level of service F in both peak hours);
- Intersection #2: Gigling Road and 7th Avenue (falls from acceptable level of service A in both the AM and PM peak hours to unacceptable level of service F in the AM peak hour and level of service D in the PM peak hour, with level of service F at the worst approach);
- Intersection #5: Gigling Road and Malmedy Road (falls from acceptable level of service A in both peak hours to level of service F at the worst approach in the AM peak hour);
- Intersection #15: Inter-Garrison Road and 8th Avenue (falls from acceptable level of service A in both the AM and PM peak hours to level of service F in both peak hours); and

DRAFT CEQA FINDINGS

- Intersection #36: General Jim Moore Boulevard and Coe Avenue (falls from acceptable level of service A in the AM peak hour and B in the PM peak hour to unacceptable level of service E in the AM peak hour and acceptable level of service C in the PM peak hour).

(a) Findings

Implementation of the improvements identified in the following Mitigation Measures could significantly reduce Project impacts; however, such changes or alterations are within the responsibility of the Fort Ord Reuse Authority and not the City of Seaside. These intersections are identified for improvements in the Fort Ord Reuse Authority Capital Improvement Program. Those specific improvements that may not be covered in the Capital Improvement Program shall be funded by the developer.

TRA-2 Payment of Fort Ord Reuse Authority Impact Fees. Prior to issuance of any Building Permit, the Project Applicant shall pay the appropriate Fort Ord Reuse Authority impact fees, in order to fund their proportionate fair share of the intersection improvements described below. To the extent specific improvements are not covered in the applicable CIP program, the developer shall fund the improvement, and the improvement shall be implemented prior to issuance of an occupancy permit, or earlier as may be determined necessary by the City Engineer, based upon traffic conditions at that time.

- a. Intersection #1: 8th Avenue and Gigling Road. Install traffic signal or roundabout. Widen and restripe eastbound approach and westbound approaches. Eastbound approach would include an exclusive left-turn lane and a through lane. Westbound approach would include a through lane and an exclusive right-turn lane. All improvements to this intersection shall be conducted in consultation with CSUMB.
- b. Intersection #2: 7th Avenue and Gigling Road. Install traffic signal or roundabout. All improvements to this intersection shall be conducted in consultation with CSUMB.
- c. Intersection #5: Malmedy Road and Gigling Road. Install traffic signal.
- d. Intersection #15: 8th Avenue and Inter-Garrison Road. Install traffic signal or roundabout. All improvements to this intersection shall be subject to review and approval by CSUMB.
- e. Intersection #36: General Jim Moore Boulevard and Coe Avenue. Install traffic signal.

(b) Facts in Support of the Findings

DRAFT CEQA FINDINGS

Mitigation Measures TRA-2 requires the Applicant to pay the appropriate Fort Ord Reuse Authority impact fees and fair share contributions to fund their proportionate costs of the above intersection improvements that would ensure continued operation at an acceptable level of service. Further, to the extent specific improvements are not covered in the applicable Capital Improvement Plan program, TRA-2 requires the developer to fund the improvement, and the improvement must be implemented prior to issuance of an occupancy permit. With implementation of the mitigation measures, each intersection would operate at acceptable levels of service as described below:

- Intersection #1: Gigling Road and 8th Avenue (will operate at acceptable level of service B in the AM peak hour and C in the PM peak hour);
- Intersection #2: Gigling Road and 7th Avenue (will operate at acceptable level of service C in both the AM and PM peak hours);
- Intersection #5: Gigling Road and Malmedy Road (will operate at acceptable level of service C in both the AM and PM peak hours);
- Intersection #15: Inter-Garrison Road and 8th Avenue (will operate at acceptable level of service B in both the AM and PM peak hours); and
- Intersection #36: General Jim Moore Boulevard and Coe Avenue (will operate at acceptable level of service B in the AM peak hour and A in the PM peak hour).

However, while these improvements are physically and financially feasible, even with the developer's payment of impact fees, implementation of these improvements is outside of the City's jurisdiction and thus cannot be guaranteed. Therefore, impacts remain potentially significant and unavoidable.

2. Existing with Project Conditions-Intersections #22, 38, 50 Unacceptable Level of Service Impacts (Without Eastside Parkway Project)

Based on agency-established thresholds of significance, the addition of Project-generated trips is forecast to either result in unacceptable levels of service at each of the following study intersections, or result in the continuation of unacceptable levels of service, for Existing with Project conditions:

- Intersection #22: Imjin Road and 8th Street (falls from acceptable level of service C in the AM peak hour to unacceptable level of service F in the AM peak hour);
- Intersection #38: SR-1 SB Ramps and Imjin Parkway (increases the delay during both peak hours-operating at unacceptable level of service F);

DRAFT CEQA FINDINGS

- Intersection #50: SR-1 SB Ramps and Reservation Road (increases the delay during the AM peak hour-operating at unacceptable level of service F);

(a) Findings

Implementation of the improvements identified in the following Mitigation Measures would significantly reduce Project impacts; however, such changes or alterations are within the responsibility of the City of Marina and not the City of Seaside. Such changes have been adopted in Marina's Capital Improvement Plan. The City of Seaside will remain responsible for ensuring applicants pay their fair share impact fees and determining whether relevant trip generation thresholds have been reached that inform timing for construction of the improvements.

TRA-4 Construct a traffic signal or roundabout at Intersection #22: Imjin Road and 8th Street. The Project Applicant shall submit payment of a fair share of the improvements described below prior to issuance of building permits.

In terms of when the improvements would need to be constructed, as part of the application process for the site-specific development under the Specific Plan, the Applicants for each development pursuant to the Specific Plan shall submit a Trip Generation Study. This information shall be utilized by the City to determine whether the relevant trip generation thresholds are met, taking into account past Project trip generation studies and the running cumulative total. The City may also take actual traffic counts and operations at the mitigation locations into account (funded by the Applicant), in determining when specific improvements need to be constructed.

When the Project's development application is projected to generate 1,552 or more PM peak hour trips (55 percent of total Project trips) at Intersection #22, this improvement shall be constructed. All improvements to this intersection shall be subject to the review and approval by CSUMB.

This intersection improvement is contained in the City of Marina CIP. As stated above, the Project Applicant shall pay their fair share of mitigation costs. If the City of Marina does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the Mitigation Measures to reduce the impact.

TRA-5 Install a traffic signal and widen the SR-1 Southbound on-ramp to two lanes at Intersection #38: SR-1 Southbound Ramps and Imjin Parkway. The Project Applicant shall pay its fair share of the cost for this improvement at the time of the initial Building Permit application.

DRAFT CEQA FINDINGS

This intersection and ramp improvement is contained in the City of Marina CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs. If the City of Marina does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the mitigation measures to reduce the impact.

TRA-6 Install a traffic signal at Intersection #50: SR-1 Southbound Ramps and Reservation Road. The Project Applicant shall pay its fair share of the cost for this improvement at the time of the initial Building Permit application.

This intersection improvement is contained in the City of Marina CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs. If the City of Marina does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the Mitigation Measures to reduce the impact.

(b) Facts in Support of the Findings

Implementation of improvements identified in Mitigation Measures TRA-4 (Intersection #22), TRA-5 (Intersection #38), and TRA-6 (Intersection #50) are physically and financially feasible and would reduce impacts to these intersections to less than significant. With implementation of these Mitigation Measures, each intersection would operate at acceptable levels of service as described below:

- Intersection #22: Imjin Road and 8th Street (will operate at acceptable level of service A in both the AM and PM peak hours);
- Intersection #38: SR-1 SB Ramps and Imjin Parkway (will operate at acceptable level of service D in the AM peak hour and level of service A in the PM peak hour);
- Intersection #50: SR-1 SB Ramps and Reservation Road (will operate at acceptable level of service B in both the AM and PM peak hours);

However, implementation of these Mitigation Measures is outside the jurisdiction of the City of Seaside and their implementation cannot be guaranteed. Therefore, because implementation cannot be guaranteed, impacts on Intersections #22, #38 and #50 are considered potentially significant and unavoidable.

3. Existing with Project Conditions Roadway Segments on Gigling Road from 7th Avenue to future Monterey Downs Road Unacceptable Level of Service Impacts (Without Eastside Parkway)

DRAFT CEQA FINDINGS

The study evaluated conditions for roadway segments in the Project area that could be impacted by the Project. With the addition of Project-generated trips, the following study roadway segments are forecast to operate at unacceptable level of service according to agency performance criteria for Existing With Project conditions:

- Gigling Road between 7th Avenue and 8th Avenue (falls from acceptable level of service A to unacceptable level of service E); and
- Gigling Road between the future Monterey Downs Road and 8th Avenue-new roadway segment (would operate at unacceptable level of service F).

(a) Findings

Implementation of the improvements identified in the following Mitigation Measure could significantly reduce Project impacts; however, such changes or alterations are within the responsibility of the Fort Ord Reuse Authority and not the City of Seaside. Such changes have been adopted by the Fort Ord Reuse Authority in its Capital Improvement Program.

TRA-7 Payment of FORA Impact Fee to Widen Gigling Road to a 4-Lane Arterial between General Jim Moore and Monterey Downs Road. The impact is projected to occur when the Project generates 10,500 daily trips (36 percent of total Project trips) along Gigling Road between General Jim Moore and Monterey Downs Road. However, Fort Ord Reuse Authority impact fees are required to be paid prior to issuance of all building permits. Therefore, the Project Applicant shall pay the appropriate Fort Ord Reuse Authority impact fee, in order to fund their proportionate fair share of this improvement.

(b) Facts in Support of the Findings

Implementation of Mitigation Measure TRA-7 requires payment of Fort Ord Reuse Authority impact fees to widen Gigling Road between General Jim Moore and Monterey Downs Road, which includes the segment between 7th Avenue and Monterey Downs Road. With implementation of these improvements these roadway segments will operate at acceptable level of service A. However, implementation of these Mitigation Measures is outside the jurisdiction of the City of Seaside and its implementation cannot be guaranteed. Therefore, because implementation of these improvements cannot be guaranteed, impacts on these roadway segments must be considered potentially significant and unavoidable.

4. Existing With Project Conditions Intersection # 16, 29, 49, and 50 Unacceptable Levels of Service (With Eastside Parkway)

DRAFT CEQA FINDINGS

Based on agency-established thresholds of significance, the addition of Project-generated trips is forecast to cause a significant impact at each of these study intersections for Interim Year 2018 with Eastside Parkway with Project conditions.

- Intersection #16: 7th Avenue and Inter-Garrison Road (falls from acceptable level of service D in the AM peak hour and level of service C in the PM peak hour to unacceptable level of service F in the AM and PM peak hours);
- Intersection #29: Inter-Garrison Road and Abrams Drive (falls from acceptable level of service D in the PM peak hour to unacceptable level of service F in the PM peak hour);
- Intersection #49: SR-1 NB Ramps and Reservation Road (operates with a significant increase in delay at unacceptable level of service F in the PM peak hour); and
- Intersection #50: SR-1 SB Ramps and Reservation Road (operates with a significant increase in delay at unacceptable level of service F in both the AM and PM peak hours).

(a) Findings

Implementation of the improvements identified in the following Mitigation Measures could significantly reduce Project impacts; however, such changes or alterations are within the responsibility of the City of Marina and not the City of Seaside. Such changes have been adopted in Marina's Capital Improvement Plan or can and should be adopted by Marina.

TRA-10 Construct a traffic signal or roundabout at Intersection #16: 7th Avenue and Inter-Garrison Road. This improvement is not included in the City of Marina CIP and the Project Applicant would implement the improvement after receiving approval from the City of Marina public works department. If the City of Marina does not allow construction of the identified off-site improvement then the Project Applicant shall be relieved from having to implement this improvement due to infeasibility of the Mitigation Measures.

TRA-11 Construct a traffic signal or roundabout at Intersection #29: Inter-Garrison Road and Abrams Drive. This intersection improvement is not included in the City of Marina CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs. The Project Applicant shall enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the Project Applicant's fair share. (Fair share costs for cumulative impacts based on estimated 2013 Project costs to be adjusted annually on July 1 by the Engineering Record's Construction Cost Index). If the City of Marina does not accept fair share payment then the Project Applicant shall be relieved

DRAFT CEQA FINDINGS

from having to pay the fair share fee due to infeasibility of the Mitigation Measures to reduce the impact.

TRA-15 (Intersection #49): Construct a traffic signal at Intersection #49: SR-1 NB Ramps and Reservation Road. This intersection improvement is contained in the City of Marina CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs. If the City of Marina does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the Mitigation Measures to reduce the impact.

TRA-16 Construct a traffic signal at Intersection #50: SR-1 Southbound Ramps and Reservation Road. This intersection improvement is contained in the City of Marina CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs. If the City of Marina does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the Mitigation Measures to reduce the impact.

(b) Facts in Support of the Findings

Improvements identified in Mitigation Measures TRA-10, TRA-11, TRA- 15, and TRA-16 would allow for continued acceptable levels of service at the intersections identified above. With implementation of these Mitigation Measures, each intersection would operate at acceptable levels of service as described below:

- Intersection #16: 7th Avenue and Inter-Garrison Road (improves the intersection to acceptable level of service B in the AM peak hour and level of service A in the PM peak hour);
- Intersection #29: Inter-Garrison Road and Abrams Drive (improves the intersection to acceptable level of service B in both the AM and PM peak hours);
- Intersection #49: SR-1 NB Ramps and Reservation Road (improves the intersection to acceptable level of service B in the AM peak hour and level of service C in the PM peak hour); and
- Intersection #50: SR-1 SB Ramps and Reservation Road (improves the intersection to acceptable level of service C in both the AM and PM peak hours).

However, implementation of these Mitigation Measures is outside the jurisdiction of the City of Seaside and their implementation cannot be guaranteed. Therefore, because implementation of these improvements cannot be guaranteed, impacts on these intersections must be considered potentially significant and unavoidable.

DRAFT CEQA FINDINGS

5. Existing With Project Conditions Intersection # 32, 45, 48 Unacceptable Levels of Service (With Eastside Parkway)

Based on agency-established thresholds of significance, the addition of Project-generated trips is forecast to cause each of these study intersections to operate at an unacceptable level of service for Interim Year 2018 with Eastside Parkway with Project conditions.

- Intersection #32: Reservation Road and East Garrison Road (continues to operate at unacceptable level of service F in the AM and PM peak hours);
- Intersection #45: Reservation Road and Davis Road (falls from acceptable level of service D in the AM peak hour to unacceptable level of service F); and
- Intersection #48: Blanco Road and Davis Road (continues to operate at unacceptable level of service F in the AM peak hour with a significant increase in delay, and falls from acceptable level of service D in the PM peak hour to unacceptable level of service E).

(a) Findings

Implementation of the improvements identified in the following Mitigation Measures would significantly reduce Project impacts; however, such changes or alterations are within the responsibility of the County of Monterey and not the City of Seaside. Such changes have not been adopted by the County of Monterey, but these improvements can and should be adopted by the County of Monterey.

TRA-12 Intersection #32: Reservation Road and Inter-Garrison Road. Widen and restripe the intersection to include one northbound left lane turn lane and two northbound right turn lanes, two westbound left turn lanes, and two westbound through lanes. This intersection improvement is not included in the County of Monterey CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs. The Project Applicant shall enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the Project Applicant's fair share. (Fair share costs for cumulative impacts based on estimated 2013 Project costs to be adjusted annually on July 1 by the Engineering Record's Construction Cost Index). If the County of Monterey does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the Mitigation Measures to reduce the impact.

TRA-13 Intersection #45: Reservation Road and Davis Road. Add a through lane on the westbound Reservation Road approach. Add additional left turn lane on the eastbound Reservation Road approach. Add additional right turn lane and implement "free" right turns for vehicles turning right into westbound Reservation Road from

DRAFT CEQA FINDINGS

southbound Davis Road. This intersection improvement is not included in the County of Monterey CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs. The Project Applicant shall enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the Project Applicant's fair share. (Fair share costs for cumulative impacts based on estimated 2013 Project costs to be adjusted annually on July 1 by the Engineering Record's Construction Cost Index). If the County of Monterey does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the Mitigation Measures to reduce the impact.

TRA-14 Intersection #48: Blanco Road and Davis Road. Add a left turn lane, through lane, and right turn lane on the southbound David Road approach. Add two through lanes on the northbound Davis Road approach, so that it has three through lanes and one right turn only lane (instead of one through lane and one shared through-right turn lane). Add two through lanes on the eastbound Blanco Road approach so that it has three through lanes and one right turn only lane (instead of one through lane and one shared through-right lane). Add a left turn lane, a through lane, and a right turn lane on the westbound Blanco Road approach, utilize "overlap" phasing for right turns from westbound Blanco Road approach and southbound Davis Road approach. This intersection improvement is not included in the County of Monterey CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs. The Project Applicant shall enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the Project Applicant's fair share. (Fair share costs for cumulative impacts based on estimated 2013 Project costs to be adjusted annually on July 1 by the Engineering Record's Construction Cost Index). If the County of Monterey does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the Mitigation Measures to reduce the impact.

(b) Facts in Support of the Findings

Mitigation Measures TRA-12, TRA-13, and TRA- 14 would require the Applicant(s) to pay their fair share to fund improvements that allow for continued acceptable levels of service at the intersections identified above. With implementation of these Mitigation Measures, each intersection would operate at acceptable levels of service as described below:

- Intersection #32: Reservation Road and Inter-garrison (improves the intersection from unacceptable level of service F in both peak hours to acceptable level of service B in the AM peak hour and level of service A in the PM peak hour);

DRAFT CEQA FINDINGS

- Intersection #45: Reservation Road and Davis Road (improves the intersection from unacceptable level of service F to acceptable level of service C in the AM peak hour); and
- Intersection #48: Blanco Road and Davis Road (improves the intersection from unacceptable level of service F in the AM peak hour and unacceptable level of service E in the PM peak hour, to acceptable level of service C in both the AM and PM peak hours).

However, implementation of the improvements identified in these Mitigation Measures is outside the jurisdiction of the City of Seaside and their implementation cannot be guaranteed. Therefore, because implementation of these improvements cannot be guaranteed, impacts on these intersections must be considered potentially significant and unavoidable.

6. Cumulative With Project Conditions Intersection # 21 Unacceptable Level of Service F in both AM and PM Peak Hour at 2nd Avenue and Inter-Garrison Road

The Project will generate additional trips that will contribute to the decline in the level of service at the Intersection #21 2nd Avenue and Inter-Garrison Road for Cumulative with Project Impacts.

(a) Findings

Implementation of the improvements identified in the following Mitigation Measures could significantly reduce Project impacts; however, such changes or alterations are within the responsibility of the County of Monterey and not the City of Seaside. Such changes have not been adopted by the County of Monterey in its Capital Improvement Plan, but the improvements can and should be adopted by the County of Monterey.

TRA-17 Payment of FORA Impact Fees. Prior to issuance of any Building Permit, the Project Applicant shall pay the appropriate Fort Ord Reuse Authority (FORA) impact fees, in order to fund their proportionate fair share of the improvement of installing a traffic signal at Intersection #21: Inter-Garrison Road and 2nd Avenue. To the extent specific improvements are not covered in the applicable CIP program, the developer shall fund the improvement, and the improvement shall be implemented prior to issuance of an occupancy permit, or earlier as may be determined necessary by the City Engineer, based upon traffic conditions at that time.

(b) Facts in Support of the Findings

Mitigation Measure TRA-17 would require the Applicant(s) to pay their fair share to fund improvements that would allow for continued acceptable levels of service at the intersection identified above. With implementation of this Mitigation Measure, Intersection #21, Inter-

DRAFT CEQA FINDINGS

Garrison Road and 2nd Avenue, would be improved from unacceptable level of service F to acceptable level of service A in both the AM and PM peak hours.

However, implementation of the improvements identified in this Mitigation Measure is outside the jurisdiction of the City of Seaside and their implementation cannot be guaranteed. Therefore, because implementation of these improvements cannot be guaranteed, impacts on these intersections must be considered potentially significant and unavoidable.

7. Cumulative With Project Conditions Intersection # 32, 45, 48 Unacceptable Levels of Service

The Project will have a cumulatively considerable contribution to a decline in the level of service at the following intersections. Based on agency-established thresholds of significance, the addition of Project-generated trips is forecast to cause a significant impact the following study intersection for Cumulative with Project Impacts:

- Intersection #32: Reservation Road and Inter-Garrison Road (continues to operate at unacceptable level of service F in both the AM and PM peak hours);
- Intersection #45: Reservation Road and Davis Road (continues to operate at unacceptable level of service F in the AM peak hour and falls from level of service D to F in the PM peak hour); and
- Intersection #48: Blanco Road and Davis Road (continues to operate at unacceptable level of service F in the AM peak hour and falls from level of service E to F in the PM peak hour).

(a) Findings

Implementation of the improvements identified in the Mitigation Measures TRA-12, TRA-13 and TRA-14, presented earlier, would significantly reduce Project impacts; however, such changes or alterations are within the responsibility of the County of Monterey and not the City of Seaside. Such changes have not been adopted by the County of Monterey, but these improvements can and should be adopted by the County of Monterey.

(b) Facts in Support of the Findings

Implementation of Mitigation Measures TRA-12 (Intersection #32), TRA-13 (Intersection #45), and TRA-14 (Intersection #48) are physically and financially feasible and would reduce impacts to these intersections to less than significant. With implementation of these Mitigation Measures, each intersection would operate at acceptable levels of service as described below:

DRAFT CEQA FINDINGS

- Intersection #32: Reservation Road and Inter-Garrison Road (improves the intersection from unacceptable level of service F in the AM and PM peak hours, to acceptable level of service B in the AM and PM peak hours);
- Intersection #45: Reservation Road and Davis Road (improves the intersection from unacceptable level of service F in the AM peak hour and unacceptable level of service E in the PM peak hour, to acceptable level of service C in both the AM and PM peak hours); and
- Intersection #48: Blanco Road and Davis Road (improves the intersection from unacceptable level of service F in the AM and PM peak hours, to acceptable level of service C in the AM and PM peak hours).

However, these improvements are outside the jurisdiction of the City of Seaside and cannot be guaranteed. Therefore, since these improvements cannot be guaranteed, the Project's contribution of trips could be cumulatively considerable for Intersections #32, #45 and #48 which is a significant and unavoidable cumulative impact.

8. Existing with Project Conditions-Adds to State Route 1 Mainline Segment Existing Unacceptable Levels of Service

Based on agency-established thresholds of significance, the addition of Project-generated trips is forecast to add to the existing unacceptable levels of service:

- SR-1 Southbound-Fremont Boulevard in Seaside to Fremont Street in Monterey (continues to operate at unacceptable levels of service ranging from E to F in the AM Peak Hour);
- SR-1 Northbound between Fremont Boulevard in Seaside and Del Monte Boulevard in Monterey (continues to operate at unacceptable levels of service ranging from E to F in the PM Peak Hour); and
- SR-1 Northbound through Monterey between Fremont Street and SR-68 East Ramps (continues to operate at unacceptable level of service F in the PM Peak Hour).

(a) Findings

To achieve acceptable operations, SR-1 will need to be widened from four to five lanes within these areas. The feasibility of widening SR-1 to more than four lanes in any one direction is uncertain, as the ability to obtain the necessary right-of-way is limited. Therefore, although payment of Fort Ord Reuse Authority fees will lessen the Project's cumulative impacts on SR-1's freeway mainline segments, given the infeasibility of widening SR-1, this impact will remain significant and unavoidable.

DRAFT CEQA FINDINGS

(b) Facts in Support of the Findings

Improvements to the above freeway mainline segments will not be feasible given they are not within the jurisdictional authority or purview of the City of Seaside or Project Applicant to adopt, implement, or enforce mitigation measures requiring the construction of improvements by Caltrans, or upon facilities within Caltrans jurisdiction. Caltrans has not adopted a program that will ensure that locally-contributed impact fees will be tied to improvements to freeway mainline segments and only Caltrans has jurisdiction over these improvements. Because Caltrans has exclusive control over state highway improvements, ensuring that developer fair share contributions to freeway improvements are actually part of a program tied to implementation of mitigation is within the jurisdiction of Caltrans. As such, there is no feasible mitigation that will reduce Project impacts to State Route 1 mainline segments to a less than significant level. Therefore, this impact will remain significant and unavoidable.

9. Cumulative with Project Conditions State Route 1 Mainline Segment Unacceptable Levels of Service

The Project will contribute to unacceptable levels of service at 15 State Route 1 mainline segments. Based on agency-established thresholds of significance, the addition of Project-generated trips is forecast to either result in unacceptable levels of service at each of the following mainline segments, or result in the continuation of unacceptable levels of service.

- SR-1 Southbound through unincorporated Monterey County between 156th and Molera Road/Nashua Road (AM Peak Hour)-The Project adds vehicle trips to this freeway segment, which operates at unacceptable level of service E with and without the project;
- SR-1 Southbound through unincorporated Monterey County between Molera Road/Nashua Road and Del Monte Boulevard North (AM Peak Hour)-The Project adds vehicle trips to this freeway segment, which operates at unacceptable level of service E with and without the project;
- SR-1 Southbound through Marina between Reservation Road and Del Monte Boulevard (AM Peak Hour)-The Project adds vehicle trips to this freeway segment, which deteriorates from acceptable level of service D to unacceptable level of service E;
- SR-1 Southbound through Marina between Imjin Parkway and Lightfighter Drive (AM Peak Hour)-The Project adds vehicle trips to this freeway segment, which operates at unacceptable level of service E with and without the project;
- SR-1 Southbound through Marina and Seaside between Lightfighter Drive and Monterey Road (AM Peak Hour)-The Project adds vehicle trips to this freeway segment, which operates at unacceptable level of service E with and without the project;

DRAFT CEQA FINDINGS

- SR-1 Northbound through Seaside between Monterey Road and Fremont Boulevard (PM Peak Hour)-The Project adds vehicle trips to this freeway segment, which operates at unacceptable level of service E with and without the project;
- SR-1 Southbound through Seaside between Monterey Road and Fremont Boulevard (AM Peak Hour)-The Project adds vehicle trips to this freeway segment, which operates at unacceptable level of service E with and without the project;
- SR-1 Northbound through Seaside between State Route 218 to Del Monte Boulevard South (PM Peak Hour)-The Project adds vehicle trips to this freeway segment, which operates at unacceptable level of service E with and without the project;
- SR-1 Southbound through Seaside and Monterey between State Route 218 to Del Monte Boulevard South (AM Peak Hour)-The Project adds vehicle trips to this freeway segment, which operates at unacceptable level of service F with and without the project;
- SR-1 Northbound through Monterey between Del Monte Boulevard South and Casa Verde Way (PM Peak Hour)-The Project adds vehicle trips to this freeway segment, which operates at unacceptable level of service E with and without the project;
- SR-1 Southbound through Monterey between Del Monte Boulevard South and Casa Verde Way (AM Peak Hour)-The Project adds vehicle trips to this freeway segment, which deteriorates from acceptable level of service D to unacceptable level of service E;
- SR-1 Northbound through Monterey between State Route 68 East and Fremont Street (PM Peak Hour)-The Project adds vehicle trips to this freeway segment, which operates at unacceptable level of service F with and without the project;
- SR-1 Southbound through Monterey between State Route 68 East and Fremont Street (AM Peak Hour)-The Project adds vehicle trips to this freeway segment, which operates at unacceptable level of service F with and without the project);
- SR-1 Southbound through Monterey between Fremont Street and Munras Avenue/Soledad Drive (AM Peak Hour)-The Project adds vehicle trips to this freeway segment, which operates at unacceptable level of service E with and without the project; and
- SR-1 Southbound through Monterey between Munras Avenue/Soledad Drive and State Route 68 West (AM Peak Hour)-The Project adds vehicle trips to this freeway segment, which operates at unacceptable level of service E with and without the project.

(a) Findings

DRAFT CEQA FINDINGS

To achieve acceptable operations, SR-1 will need to be widened from four to five lanes in the southbound direction between Molera Road/Nashua Road and SR-68 West and in the northbound direction between SR-68 East and Monterey Road. The feasibility of widening SR-1 to more than four lanes in any one direction is uncertain, as the ability to obtain the necessary right-of-way is limited. Therefore, although payment of Fort Ord Reuse Authority fees will lessen the Project's cumulative impacts on SR-1's freeway mainline segments, given the infeasibility of widening SR-1, this impact will remain significant and unavoidable.

(b) Facts in Support of the Findings

Improvements to the above freeway mainline segments will not be feasible given they are not within the jurisdictional authority or purview of the City of Seaside or Project Applicant to adopt, implement, or enforce mitigation measures requiring the construction of improvements by Caltrans, or upon facilities within Caltrans jurisdiction. Caltrans has not adopted a program that will ensure that locally-contributed impact fees will be tied to improvements to freeway mainline segments and only Caltrans has jurisdiction over these improvements. Because Caltrans has exclusive control over state highway improvements, ensuring that developer fair share contributions to freeway improvements are actually part of a program tied to implementation of mitigation is within the jurisdiction of Caltrans. As such, there is no feasible mitigation that will reduce Project impacts to State Route 1 mainline segments to a less than significant level. Therefore, this impact will remain significant and unavoidable.

10. Existing with Project Conditions Freeway On-Ramp Contribution to Unacceptable Level of Service

Based on agency-established thresholds of significance, the addition of Project-generated trips is forecast to either result in unacceptable levels of service at each of the following freeway on-ramps, or result in the continuation of unacceptable levels of service:

- SR-1 and Imjin Parkway Southbound On-Ramp in Marina (AM Peak Hour)-Level of service falls from acceptable D to unacceptable E);
- SR-1 and Lightfighter Drive Southbound On-Ramp in Marina (AM Peak Hour)-Level of service falls from acceptable D to unacceptable E);
- SR-1 and Fremont Boulevard Southbound On-Ramp in Seaside (AM Peak Hour)-Level of service continues to operate at unacceptable F;
- SR-1 and SR-218 (Canyon Del Rey Boulevard) Southbound On-Ramp in Seaside (AM Peak Hour)-Level of service continues to operate at unacceptable F;

DRAFT CEQA FINDINGS

- SR-1 and SR-218 (Canyon Del Rey Boulevard) Northbound On-Ramp in Seaside (PM Peak Hour)-Level of service continues to operate at unacceptable level of service F;
- SR-1 and Del Monte Boulevard Southbound (Hannon Avenue) On-Ramp in Monterey (AM Peak Hour)-Level of service continues to operate at unacceptable E;
- SR-1 and Del Monte Boulevard Northbound (English Avenue) On-Ramp in Monterey (PM Peak Hour)-Level of service falls from acceptable D to unacceptable F;
- SR-1 and Casa Verde Way Northbound On-Ramp in Monterey (PM Peak Hour)-Level of service falls from acceptable D to unacceptable E);
- SR-1 and SR-68 East Southbound On-Ramp in Monterey (AM Peak Hour)-Level of service continues to operate at unacceptable F;
- SR-1 and Fremont Street Southbound On-Ramp in Monterey (AM Peak Hour)-Level of service continues to operate at unacceptable E;
- SR-1 and Fremont Street Northbound On-Ramp in Monterey (PM Peak Hour)-Level of service continues to operate at unacceptable F; and
- SR-1 and SR-68 West Northbound On-Ramp (PM Peak Hour)-Level of service continues to operate at unacceptable E.

(a) Findings

There are no existing feasible mitigation measures that will reduce the environmental impacts to less than significant.

(b) Facts in Support of the Findings

Installation of ramp metering systems would manage traffic flow at the identified on ramps. These on ramps are in the jurisdiction of Caltrans and, at present, there are no documented plans for ramp metering improvements on SR-1 in the Project's vicinity. Thus improvements to these freeway on-ramps will not be feasible given they are not within the jurisdictional authority or purview of the City of Seaside or Project Applicant to adopt, implement, or enforce mitigation measures requiring the construction of improvements by Caltrans, or upon facilities within Caltrans' jurisdiction. Additionally, Caltrans has not adopted a program that will ensure that locally-contributed impact fees will be tied to improvements to freeway mainline segments and only Caltrans has jurisdiction over these improvements. Because Caltrans has exclusive control

DRAFT CEQA FINDINGS

over state highway improvements, ensuring that developer fair share contributions to freeway improvements are actually part of a program tied to implementation of mitigation is within the jurisdiction of Caltrans. As such, there is no feasible mitigation that will reduce Project impacts to freeway on-ramps to below significance thresholds. Therefore, this impact will remain significant and unavoidable.

11. Cumulative with Project Conditions Freeway On-Ramp Contribution to Unacceptable Level of Service

The Project will contribute to a decline in existing unacceptable levels of service at these freeway on-ramps. Based on agency-established thresholds of significance, the addition of Project-generated trips is forecast to contribute to an unacceptable level of service at each of these freeway on-ramps for Cumulative with Project conditions.

- SR-1 and Molera Road/Nashua Road Northbound On-Ramp in unincorporated Monterey County (AM and PM Peak Hours)-Level of service continues to operate at unacceptable E;
- SR-1 and Molera Road/Nashua Road Southbound On-Ramp in unincorporated Monterey County (AM Peak Hour)-Level of service continues to operate at unacceptable E;
- SR-1 and Del Monte Boulevard North Southbound On-Ramp in Marina (AM Peak Hour)-Level of service continues to operate at unacceptable E;
- SR-1 and Reservation Road Southbound On-Ramp in Marina (AM Peak Hour)-Level of service continues to operate at unacceptable E;
- SR-1 and Del Monte Boulevard Southbound On-Ramp in Marina (AM Peak Hour)- Level of service continues to operate at unacceptable F;
- SR-1 and Imjin Parkway Southbound On-Ramp in Marina (AM Peak Hour)-Level of service continues to operate at unacceptable F;
- SR-1 and Lightfighter Drive Northbound On-Ramp in Seaside (PM Peak Hour)-Level of service continues to operate at unacceptable E;
- SR-1 and Lightfighter Drive Southbound On-Ramp in Seaside (AM Peak Hour)-Level of service falls from unacceptable E to unacceptable F;
- SR-1 and New Interchange Northbound On-Ramp in Seaside (PM Peak Hour)-Level of service continues to operate at unacceptable E;

DRAFT CEQA FINDINGS

- SR-1 and New Interchange Southbound On-Ramp in Seaside (AM Peak Hour)-Level of service continues to operate at unacceptable F;
- SR-1 and Fremont Boulevard Northbound On-Ramp in Seaside (PM Peak Hour)-Level of service continues to operate at unacceptable F;
- SR-1 and Fremont Boulevard Southbound On-Ramp in Seaside (AM Peak Hour)-Level of service continues to operate at unacceptable F;
- SR-1 and SR-218 (Canyon Del Rey Boulevard) Northbound On-Ramp in Seaside (PM Peak Hour)-Level of service continues to operate at unacceptable F;
- SR-1 and SR-218 (Canyon Del Rey Boulevard) Southbound On-Ramp in Seaside (AM Peak Hour)-Level of service continues to operate at unacceptable F;
- SR-1 and Del Monte Boulevard South Southbound On-Ramp in Monterey (AM Peak Hour)-Level of service continues to operate at unacceptable E;
- SR-1 and Casa Verde Way Northbound On-Ramp in Monterey (PM Peak Hour)-Level of service continues to operate at unacceptable E;
- SR-1 and State Route 68 East Southbound On-Ramp in Monterey (AM Peak Hour)-Level of service continues to operate at unacceptable F;
- SR-1 and Fremont Street Northbound On-Ramp in Monterey (PM Peak Hour)-Level of service continues to operate at unacceptable F;
- SR-1 and Fremont Street Southbound On-Ramp in Monterey (AM Peak Hour)-Level of service continues to operate at unacceptable E;
- SR-1 and Munras Avenue/Soledad Drive Northbound On-Ramp in Monterey (PM Peak Hour)-Level of service continues to operate at unacceptable E; and
- SR-1 and State Route 68 West Northbound On-Ramp in Monterey (PM Peak Hour)-Level of service continues to operate at unacceptable E.

(a) Findings

The degradation of SR-1 freeway on-ramp LOS indicates the need for on-ramp widening. The feasibility of widening SR-1 on-ramps is uncertain, as the ability to obtain the necessary right-of-way is limited. Therefore, although payment of Fort Ord Reuse Authority fees will lessen the Project's cumulative impacts on SR-1's freeway on-ramps, given the infeasibility of widening SR-1 on-ramps, this impact will remain significant and unavoidable.

DRAFT CEQA FINDINGS

(b) Facts in Support of the Findings

Widening these on ramps is in the jurisdiction of Caltrans. Thus improvements to these freeway on-ramps will not be feasible given they are not within the jurisdictional authority or purview of the City of Seaside or Project Applicant to adopt, implement, or enforce mitigation measures requiring the construction of improvements by Caltrans, or upon facilities within Caltrans' jurisdiction. Additionally, Caltrans has not adopted a program that will ensure that locally-contributed impact fees will be tied to improvements to freeway mainline segments and only Caltrans has jurisdiction over these improvements. Because Caltrans has exclusive control over state highway improvements, ensuring that developer fair share contributions to freeway improvements are actually part of a program tied to implementation of mitigation is within the jurisdiction of Caltrans. As such, there is no feasible mitigation that will reduce Project impacts to freeway on-ramps to below significance thresholds. Therefore, this impact will remain significant and unavoidable.

VIII ENVIRONMENTAL EFFECTS THAT REMAIN SIGNIFICANT AND UNAVOIDABLE AFTER MITIGATION

In the environmental areas of aesthetics, air quality, biological resources, greenhouse gases, hydrology and water quality, land use and planning, traffic and transportation, and water, there are instances where environmental impacts will remain significant and unavoidable after mitigation. These areas are discussed below.

A. AESTHETICS

1. Visual Character, Long-Term Impacts

Project implementation will permanently modify the site's visual character and result in alteration of the site's natural topography. Specifically, Project implementation will result in removal of approximately 315 AC (approximately 77 percent) of the coast live oak woodland habitat on the Project site. The removal of vegetation and trees will permanently change the visual character from a wooded to an urbanized character, which is a significant visual impact.

(a) Findings

Changes or alterations have been required in the Project that reduced the Project's environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measures lessen the significant visual impact:

DRAFT CEQA FINDINGS

BIO-16 Impacts to Coast Live Oak Woodland Habitat. The direct loss of coast live oak woodland habitat cannot be avoided with implementation of the Project; therefore, the following measures shall be implemented to reduce identified impacts. Direct loss of coast live oak woodland habitat shall be mitigated at 1:1 compensation ratio.

- A. Coast Live Oak woodland habitat restoration shall account for a maximum of 50 percent of required mitigation. A Forest Management Plan/Oak Woodland Mitigation Plan shall be prepared by a qualified biologist. The oak woodland mitigation site(s) will occur within the Specific Plan area, the adjacent Monterey County Fort Ord Recreation Habitat Area, or within other appropriate habitats on the former Fort Ord. If there are no areas within the former Fort Ord where the impacts can be feasibly and appropriately mitigated, the Project Proponent shall identify another acceptable location, preferably within Monterey County.

The Forest Management Plan/Oak Woodland Mitigation Plan shall be consistent with the Fort Ord Habitat Management Plan, and will include but not be limited to, a planting plan, success criteria, monitoring protocols to determine if success criteria have been met, adaptive management protocols in the event that success criteria are not met, and funding assurances. The Forest Management Plan/Oak Woodland Mitigation Plan shall be submitted to the City of Seaside for review and approval prior to issuance of the first grading permit. The portion of the plan applicable to each development project shall be implemented prior to the issuance each grading permit.

- B. In addition, the Project Proponent shall (1) create a conservation easement and/or (2) participate in a mitigation bank or fee program to conserve oak woodlands, which shall account for the remainder of the required mitigation:
 1. The Project Proponent shall establish an oak woodland permanent conservation easement in the Project vicinity approved by the City of Seaside. The location of this conservation easement shall be sited to preserve regional native

DRAFT CEQA FINDINGS

biological diversity, such as adjacent to protected habitat areas.

2. Project Proponent shall purchase oak woodland mitigation credits at County- and/or City-approved off-site mitigation bank(s) (if available) to compensate for the direct loss of oak woodland habitat based on a 1:1 compensation ratio. If this is not feasible, the Project Proponent shall contribute funds to the State of California Oak Woodlands Conservation Fund. This Fund has been established under Section 1363 of the California Fish and Game Code for the purpose of purchasing oak woodland conservation easements per the guidelines of the Wildlife Conservation Board.

Evidence of creation of a conservation easement and/or participation in a mitigation bank or fee program shall be submitted to the City of Seaside for review and approval prior to issuance of a grading permit for development Projects affecting oak woodland habitat.

The Forest Management Plan/Oak Woodland Mitigation Plan shall also include the measures identified in BIO-17 presented later in this section.

BIO-17 Implementation of a Forest Management Plan. To minimize impacts to landmark oaks and in the spirit of compliance with Public Resources Code 21083.4, the Project Proponent shall submit a Forest Management Plan, to be prepared by a qualified forester/arborist, to the City of Seaside's Board of Architectural Review, prior to the issuance of any grading permit for Monterey Downs and Central Coast Veterans Cemetery. The Forest Management Plan shall demonstrate that tree protection measures are incorporated, to the extent feasible, for both the pre-construction and construction phases of Monterey Downs and Central Coast Veterans Cemetery. The Forest Management Plan shall be consistent with the City of Seaside's Tree Ordinance, and shall include measures to avoid tree removal and/or transplant trees whenever possible based on suitable mitigation ratios and planting areas. In addition, a program shall be established within the Forest Management Plan for the Proponent to submit a

DRAFT CEQA FINDINGS

special fee to the Fort Ord Reuse Authority to fund tree replacement elsewhere within Fort Ord. The Forest Management Plan, at a minimum, shall include the following features:

Tree Protection Measures

- To maximize tree retention and protection, a forester, arborist or other tree care professional shall be involved in review and development of final grading and construction plans wherever trees occur either at Project or grading margins.
- Prior to commencement of any grading within 50 feet of retained trees, the contractor shall install protective fencing at the driplines of retained trees to create a Tree Protection Zone that shall not be entered for any reason unless approved by the Project forester. The Tree Protection Zone may extend within the driplines of retained trees where approved by the Project forester in order to retain more trees. Grading may not commence until the Project forester has inspected and approved the protective fencing installed by the contractor.
- Prior to commencement of any grading within 50 feet of retained trees, the Project forester shall identify retained trees needing significant pruning to protect them during grading operations. This protective pruning work shall be completed by a qualified tree contractor, in accordance with current arboricultural standards and practices prior to commencement of operations to balance canopy, provide necessary clearances, remove dead wood, and promote the tree's health. All pruning shall be completed or supervised by a certified arborist and adhere to the Best Management Practices for Pruning established by the International Society of Arboriculture.
- No grading, construction, demolition, or other work shall occur within the Tree Protection Zone. Any modifications must be approved and monitored by the consulting arborist.
- No soil shall be removed or added within the dripline of a retained tree unless it is part of approved construction and approved by the Project forester or arborist.
- Under no circumstances shall fill be placed in contact with the base of a retained tree. Permanent wells shall be constructed as appropriate

DRAFT CEQA FINDINGS

whenever necessary to prevent fill/trunk contact, never at a distance less than a foot from the trunk, and without causing significant root damage.

- To avoid soil compaction from damaging the roots, heavy equipment shall not be allowed to drive over the root area. If deemed necessary and approved by the forester, equipment may drive across one side of the tree. To reduce soil compaction, wood chips shall be spread 6-12 inches deep to disperse the weight of equipment and plywood sheets shall be placed over the wood chips for added protection. Wood chips used during construction and elsewhere in the Project area shall be certified to be free of Sudden Oak Death fungus in compliance with California Department of Food and Agriculture regulations.
- Roots exposed by excavation must be pruned and recovered as quickly as possible to promote callusing, closure and healthy re-growth.
- Retained trees shall be watered periodically in accordance with species needs to promote tree health. Transplanted trees and their intended planting areas shall be pre-watered. Post planting watering shall be done as needed to assure establishment.
- Supplemental irrigation shall be applied as determined by the consulting arborist.
- If injury should occur to any tree during construction, it shall be evaluated as soon as feasible by the consulting arborist so that appropriate treatments can be applied.
- No excess soil, chemicals, debris, equipment, or other materials shall be dumped or stored within the Tree Protection Zone.
- Any additional tree pruning needed for clearance during construction must be performed or supervised by an Arborist and not by construction personnel.
- As trees withdraw water from the soil, expansive soils may shrink within the root area. Therefore, foundations, footings and pavements on expansive soils near trees shall be designed to withstand differential displacement.

Replacement and Planting Measures

DRAFT CEQA FINDINGS

- When the Project design is completed, an estimate of the appropriate number of replacement trees shall be made based on available planting space. These replacement trees (minimum five-gallon specimens) shall be planted along boundaries and within landscape areas. Planting density for replacement trees shall be accurately detailed to allow for some unavoidable mortality over time.
- Transplants are encouraged and shall be credited on a 3:1 basis. Final replanting numbers may be modified by additional tree retention and should be made part of the final landscaping plan.
- The Forest Management Plan shall include measures for establishing the required soil conditions prior to replanting. Tree replacement requirements shall be met promptly after the close of construction and based on a final tally of trees actually removed in the Project area rather than on the estimates contained in the Forest Management Plan.
- Final landscape planting shall require a post planting watering plan based on the time of planting and size of selected stock.
- Two, five, and eight years following mitigation plantings, the Project Proponent shall arrange for a qualified arborist to inspect replacement tree plantings following Project completion. Any trees that have died or are in poor condition in the arborist's judgment shall be replaced and inspected on a two-, five- and eight-year schedule beginning with the next inspection on the original schedule, and with the same replacement location requirements.

AES-2 As part of the Site Plan review for development within the Monterey Horse Park (REC-1) and Monterey Downs equestrian training facility (REC-2) Planning Areas, the Applicant shall prepare plans to relocate the City's eastern Gateway to the Specific Plan area's northeastern boundary at Eastside Parkway, in order to establish an entrance to the City. Such plans shall be submitted to the City Planning Department for review and shall include landscaping, design themes, landmark features, and signage in accordance with the Seaside General Plan Urban Design Element's Urban Design Plan UD-1.1.1.

(b) Facts in Support of Findings

The Project proposes the following features that provide visual relief and minimize the Project's impacts on the visual character/quality of the Project site and its surroundings:

DRAFT CEQA FINDINGS

- A development concept that provides a transition between the urban/suburban core and surrounding Fort Ord Regional Habitat Area and Fort Ord National Monument open spaces.
- Retains approximately 15 percent of the non-cemetery portion of the specific plan as open space, or as much as 33 percent when considering the Central Coast Veterans Cemetery.
- Includes Architectural Design Guidelines, Development Standards, and Landscaping and Grading Design Standards that address visual character.

However, the Project will result in the elimination of Coast live oak woodland, which typifies much of the Project site's existing visual character and there is no mitigation that will reduce the loss of approximately 315 acres of contiguous coast live oak woodland to a less than significant level. Thus, despite compliance with the City's Tree and Subdivision Ordinances and required mitigation, given the overall removal of coast live oak woodland that will occur on the Project site, as well as the site's permanent transformation from a wooded to an urbanized character, visual impacts will remain significant and unavoidable.

2. Cumulative Impacts

For purposes of cumulative aesthetics analyses, cumulative impacts are considered for the Base Reuse Plan development capacities, as analyzed in the Base Reuse Plan PEIR. The Project will contribute to the permanent alteration of the visual character of the former Base Reuse Plan area, thereby, contributing to the cumulative impact in conjunction with related projects. This is a cumulatively considerable aesthetic impact.

(a) Findings

Changes or alterations have been required in the Project that reduced the Project's environmental effect as identified in the Draft EIR. Specifically, Mitigation Measures BIO-16, BIO-17, AES-2, the City of Seaside's Tree and Subdivision Ordinances, and the following Base Reuse Plan policies lessen the significant environmental impacts:

Residential Land Use Policy I-1; Program I-1.1; Program I-1.2; Residential Land Use Policy I-2; Commercial Land Use Policy B-3; Commercial Land Use Policy F-2; Institutional Land Use Policy D-2; Recreation Policy B-2; and Recreation Policy G-3.

(b) Facts in Support of Findings

While adherence to Base Reuse Plan policies, Mitigation Measures BIO-16, BIO-17, AES-2, and City Tree and Subdivision Ordinances will reduce visual impacts through tree replacement and protection measures, because the Project will contribute to the permanent alteration of the visual

DRAFT CEQA FINDINGS

character of the former Base Reuse Plan area and permanent removal of oak woodlands, it contributes to the cumulative impact and remains a significant and unavoidable cumulative impact.

B. AIR QUALITY

1. Long-Term Operational Increase in Air Pollutants above Thresholds (ROG, NO_x, and CO)

Operational emissions generated by both stationary and mobile sources will result from normal daily activities on the Project site after occupation. Stationary area source emissions will be generated by the consumption of natural gas for space and water heating devices, the operation of landscape maintenance equipment, and the use of consumer products. Stationary energy emissions will result from energy consumption associated with the Project. Mobile emissions will be generated by the motor vehicles traveling to and from the Project site. The project would generate ROG, NO_x, and CO in excess of established thresholds. These pollutant levels are considered significant adverse impacts.

(a) Findings

Changes or alterations have been required in the Project that reduced the Project's environmental effect as identified in the Draft EIR. Specifically, the following Mitigation Measure lessens the significant air quality impact:

GHG-1 The proposed Project shall include, but not be limited to, the following list of Project design features, which shall be incorporated into the Project to ensure consistency with adopted statewide plans and programs. The developers shall demonstrate compliance with the following measures as noted in each bullet point, prior to the issuance of building or occupancy permits, as applicable.

Transportation

- The Project shall provide a pedestrian access network (e.g., sidewalks, pathways, pedestrian amenities, etc.) that internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Project site. The Project shall minimize barriers to pedestrian access and interconnectivity (to be included in final plans and specifications, and reviewed and approved by the City Planning Department prior to issuance of building permits).

DRAFT CEQA FINDINGS

- Bicycle lanes and walking paths shall be incorporated into the street system to provide alternative circulation routes to reach logical points of destinations such as schools, parks, and retail areas. The Project shall include at least one (1) mile of bicycle lanes per square mile of development (to be included in final plans and specifications, and reviewed and approved by the City Planning Department prior to issuance of building permits).
- Proposed commercial uses shall implement a voluntary trip reduction program, for which all employees shall be eligible to participate. The voluntary trip reduction program may include carpooling encouragement, ride-matching assistance, preferential carpooling parking, flexible work schedules for carpoolers, vanpool assistance, bicycle end-trip facilities (parking, showers and lockers) (prior to issuance of occupancy permit). Under a voluntary trip reduction program, monitoring and reporting is not required, and at least a one (1) percent reduction in trips shall be achieved. This measure is not applicable to residential uses.
- Proposed commercial uses shall provide a voluntary ride sharing program, for which all employees shall be eligible to participate (prior to issuance of occupancy permit). The voluntary ride sharing program could be achieved through a multi-faceted approach, such as designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles, and/or providing a web site or message board for coordinating rides. The ride sharing program shall achieve at least a three (3) percent reduction in trips. This measure is not applicable to residential uses.
- The Project includes a transit stop in the center of the project on Monterey Downs Road south of Eastside Parkway. If Monterey-Salinas Transit is unable to fund a transit line at this location, the City, the Applicant, and Monterey Salinas Transit shall enter into an agreement for the Applicant to partially fund a three year pilot transit line, to be operated by Monterey Salinas Transit, to service the Project area. The agreement shall be a requirement of the DD&A between the City and the Applicant. Funding and timing will be determined in the DD&A.

Energy Efficiency

DRAFT CEQA FINDINGS

- Install Energy Star rated appliances (to be included in final plans and specifications, and reviewed and approved by the City Planning Department prior to issuance of building permits).
- Install windows with dual pane low emissivity glass (to be included in final plans and specifications, and reviewed and approved by the City Planning Director prior to issuance of building permits).
- Install light-emitting diode (LED) external lighting to reduce the site's electricity construction, where appropriate (to be included in final plans and specifications, and reviewed and approved by the City Planning Department prior to issuance of building permits).

Water Conservation and Efficiency

- Install low-flow faucets and toilets that reduce water consumption by an average of at least 14 percent (to be included in final plans and specifications, and reviewed and approved by the City Planning Department prior to issuance of building permits).

Solid Waste

- Provide interior and exterior storage areas for recyclables and adequate recycling containers located in public areas (prior to issuance of occupancy permit).

(b) Facts in Support of Findings

Mitigation Measure GHG-1 requires that the Project provide pedestrian connections to the off-site circulation network, implement a trip reduction program, and provide a ride sharing program in order to reduce mobile source emissions. Further, Mitigation Measure GHG-1 requires that the Project implement various energy efficiency measures that would reduce stationary source emissions. However, the operational mitigated emissions will remain above the Air District thresholds for ROG, NO_x, and CO. There is no additional, feasible mitigation that would reduce impacts to less than significant levels. Therefore, the Project's long-term operational ROG, NO_x, and CO emissions will be a significant and unavoidable impact.

3. Cumulative Long-Term Operational Increase in Air Pollutants

While the Project proposes less intense land uses within the Project area than the uses permitted by the Base Reuse Plan and will not induce population growth that will exceed Association of Monterey Bay Area Government's projections, emissions from Project development will exceed

DRAFT CEQA FINDINGS

the Air District thresholds for ROG, NO_x, and CO. Therefore, the Project's contribution to cumulative air quality impacts would be considerable.

(a) Findings

Changes or alterations have been required in the Project that reduced the Project's environmental effect as identified in the Draft EIR. Specifically, the Mitigation Measures GHG-1, previously discussed, lessens the significant air quality impact.

(b) Facts in Support of Findings

Mitigation Measure GHG-1 requires that the Project provide pedestrian connections to the off-site circulation network, implement a trip reduction program, and provide a ride sharing program in order to reduce mobile source emissions. However, despite implementation of this Mitigation Measure the Project's mitigated operational emissions will remain above Air District thresholds for ROG, NO_x, and CO. Because the Air Basin is at nonattainment for ozone, construction of the Project will generate a cumulatively considerable contribution to air quality impacts in the Basin. No feasible alternative will reduce the Project's contributions to cumulative impacts to a level of insignificance.

C. BIOLOGICAL RESOURCES

1. Impacts to Sensitive Natural Community (315 AC of Coast Live Oak Woodland)

Development of the Project would result in direct loss of 315 AC of Coast Live Oak Woodland including the following: 58.5 acres (approximately 14 percent) within the CCVC; 153 acres (37 Percent) within the Monterey Downs residential and commercial areas (R-1, R-2, R-3, RM, C-1, and C-2 Planning Areas); and 103.5 acres (25 percent) within the Monterey Horse Park and Monterey Downs Training Track and Sports Arena.

(a) Findings

Changes or alterations have been required in the Project that reduced the Project's environmental effect as identified in the Draft EIR. Specifically, the Mitigation Measures BIO-16 and BIO-17, previously discussed, lessens the significant impact.

(b) Facts in Support of Finding

Implementation of BIO-16 and BIO-17 will reduce impacts to coast live oak woodland habitat through mitigation banking, implementation of a Forest Management Plan, and offsite creation, restoration, and preservation of this habitat type. However, there is no mitigation that will reduce the loss of approximately 315 acres of contiguous coast live oak woodland to a less than significant level. Impacts to coast live oak woodland will remain significant and unavoidable

DRAFT CEQA FINDINGS

despite the recommended mitigation, given the overall removal of coast live oak woodland that will occur on the Project site.

3. Loss of Landmark Coast Live Oak Trees

There are an estimated 39,182 coast live oak trees (of which 9,245 are estimated to be located within the onsite habitat management areas). It is estimated that fewer than 100 trees are considered landmark oaks, given the site tends toward higher densities and lower soil fertility. Of the approximately 100 landmark trees, 47 will be located within Monterey Down's habitat management areas. Most of the remaining 53 landmark trees identified are in fair to poor conditions due to the presence of rot, disease, fungi, foliar, dieback and poor foliar color. However, the larger trees in the far western portion of the project site, south of the Department of Defense complex, are in reasonably good condition. Within the Central Coast Veteran's Cemetery site tending toward higher oak densities and lower soil fertility, seven oaks qualifying as landmark trees were identified. Of the seven landmark trees, six were in good condition and one was rated as fair. Any removal or root damage to landmark trees during Project implementation will be considered significant impacts.

(a) Findings

Changes or alterations have been required in the Project that reduced the Project's environmental effect as identified in the Draft EIR. Specifically, compliance with the City's Tree and Subdivision Ordinances and Mitigation Measures BIO-17, previously discussed, lessen the significant impact.

(b) Facts in Support of Finding

Any oak tree removal on the Project site must comply with the City of Seaside's Tree Ordinance which calls for a qualified forester/arborist to provide design recommendations intended to preserve the existing onsite trees into future site development, where feasible, as well as the City's Subdivision Ordinance, which requires that the locations, sizes and types of existing trees that have circumference greater than 19 inches and/or wooded areas be identified. In addition, Mitigation Measure BIO-17 requires implementation of a Forest Management Plan to reduce impacts to landmark trees. Compliance with the City of Seaside's Tree and Subdivision Ordinances and specified mitigation will be verified through the permitting process, which will apply to the current tentative map application, as well as all future development permits. Unless implementation of the Project, including both Monterey Downs and the Central Coast Veteran's Cemetery, results in the preservation of all health landmark trees, the Project impacts to landmark trees will be significant and unavoidable.

4. Cumulative Impacts – Coast Live Oak and Landmark Trees

DRAFT CEQA FINDINGS

Implementation of the Base Reuse Plan and existing developments will result in losses of coast live oak woodlands and landmark coast live oak trees. Project implementation will result in a loss of onsite coast live oak woodlands and the potential removal of landmark coast live oak trees that will incrementally contribute to cumulative impacts related to these biological resources.

(a) Findings

Changes or alterations have been required in the Project that reduced the Project's environmental effect as identified in the Draft EIR. Specifically, compliance with the following Base Reuse Plan policies and programs lessen the significant impact:

Biological Resources Policy A-1, Program A-1.1, Program A-1.2, Program A-1.3; Biological Resources Policy A-4, Program A-4.1, Program A-4.2, Program A-4.3; Biological Resources Policy B-1, Program B-1.1, Program B-1.2; Biological Resources, Policy C-1, Program C-1.1; Biological Resources Policy C-2, Program C-2.1, Program C-2.2, Program C-2.3, Program C-2.4, Program C-2.5, Program C-2.6; Biological Resources Policy C-3, Program C-3.1; Biological Resources Policy D-1, Program D-1.2; Biological Resources Policy D-2, Program D-2.1, Program D-2.3; Biological Resources Policy E-1

(b) Facts in Support of Finding

The Base Reuse Plan PEIR concluded that since the Base Reuse Plan Policies and Programs will minimize the loss of oak trees through careful site design in development areas and effectively require a 1:1 replacement for all trees removed (per Monterey County Ordinance), effects on oak woodlands will be considered a less than significant impact. However, based on more site-specific analysis of potential impacts to coast live oak woodlands associated with cumulative development that has occurred since completion of the Base Reuse Plan PEIR, Base Reuse Plan impacts on approximately 1,580 AC of coast live oak woodlands represents a cumulative impact on this habitat type and remains an issue at the regional and state-wide level. Although the Base Reuse Plan policies and programs will preserve or replace the coast live oak woodland and landmark coast live oak trees affected by cumulative development, all incremental losses will add to the cumulative impacts. Because Project implementation will contribute an incremental loss of these biological resources, the Project will result in significant and unavoidable cumulative impacts to coast live oak woodlands and landmark coast live oak trees.

D. GREENHOUSE GAS EMISSIONS

1. Greenhouse Gas Emissions

DRAFT CEQA FINDINGS

The Project will result in GHG emissions of 7.24 MTCO₂eq per capita per year, which will exceed the 4.9 MTCO₂eq per capita per year Project level GHG threshold.

(a) Findings

Changes or alterations have been required in the Project that lessen the Project's contribution to cumulative greenhouse gas impacts. Specifically, Mitigation Measures GHG-1, previously discussed, imposed upon the Project lessens the significant impact.

(b) Facts to Support Findings

The Project will implement Mitigation Measure GHG-1, which will reduce GHG emissions associated with the transportation, water, energy, solid waste, and land use sectors. Implementation of these measures will reduce GHG emissions to from 7.24 MTCO₂eq to 6.38 MTCO₂eq per capita per year. After the completion of emissions modeling, GHG-1 was amended to require installation of light-emitting diode (LED) external lighting to reduce the site's electricity use which will further reduce the annual GHG emissions. However, the Project will still exceed the 4.9 MTCO₂eq per capita per year Project level GHG threshold; therefore, a significant and unavoidable impact will result.

2. Cumulative Impacts

The Project would result in GHG emissions of 7.24 MTCO₂eq per year which exceeds the 4.9 MTCO₂eq per capita per year Project level GHG threshold.

(a) Findings

Changes or alterations have been required in the Project that lessen the Project's contribution to cumulative greenhouse gas impacts. Specifically, Mitigation Measures GHG-1, previously discussed, and the following Base Reuse Plan policies and programs imposed upon the Project lessens the significant impact:

Residential Land Use Policy E-1, Residential Land Use Policy E-3, Program E-3.2, Transit Policy A-1, Transportation Demand Management Policy A-1, Program A-1.4.

(b) Facts to Support Findings

The Project will implement Mitigation Measure GHG-1, which will reduce GHG emissions associated with the transportation, water, energy, solid waste, and land use sectors. Implementation of these measures will reduce GHG emissions to 6.38 MTCO₂eq per capita per year. However, the Project will exceed the 4.9 MTCO₂eq per capita per year Project level GHG threshold which is considered a substantial contribution to a cumulative impact and therefore, the Project's cumulative GHG emissions would be considered significant and unavoidable.

E. HYDROLOGY AND WATER QUALITY

DRAFT CEQA FINDINGS

1. Groundwater Supplies

The Project will result in a total estimated water demand of 852.5 AFY, including 550 AFY of groundwater. Additional water supplies of 137.1 AFY of groundwater will be needed (as well as 145.5 AFY of recycled water) to meet the remainder of the Project's groundwater demand for Phases IV through VI.

(a) Findings

Changes or alterations have been required in the Project that lessen the Project's environmental impacts. Specifically, the following Mitigation Measure imposed upon the Project lessens the significant impact:

W-1 Water Service Agreement. Prior to the approval of any discretionary permits or entitlements (tentative map, use permits, etc.) for each future development that implements the Specific Plan, the Applicant(s) of said development(s) shall provide proof of an adequate water supply, including evidence of a water service agreement from the water provider to the City of Seaside City Engineer/Public Works Services Manager ensuring that there is sufficient amount of available water from the unused water supply allocation to serve said development(s) at the time of application of required discretionary permits or entitlements. This includes any non-potable water from the unused recycled water supply allocation, if available at the time of said development(s) that may, with the City's written approval, be used to offset the needed potable water supply to serve said development(s).

(b) Facts to Support Findings

Mitigation Measure W-1 requires that each future Specific Plan Applicant provide proof of adequate water supply to the City Engineer/Public Works Services Manager, prior to approval of any discretionary permit or entitlement for each development. Despite compliance with Mitigation Measure W-1, given the uncertainties involving the water supply options, sufficient water supplies will not be ensured to Phases IV through VI. Therefore, impacts in this regard will remain significant and unavoidable.

3. Cumulative Groundwater Supply Impacts

Implementation of the Base Reuse Plan will result in an increased demand for new water supplies. The proposed project will incrementally contribute to the need for new water supplies.

(a) Findings

DRAFT CEQA FINDINGS

Changes or alterations have been required in the Project that lessen the Project's environmental impacts. Specifically, the following Base Reuse Plan policies and programs imposed upon the Project lessen the significant impact:

Hydrology and Water Quality Policy A-1, Program A-1.1, Program A-1.2; Hydrology and Water Quality Policy B-1, Program B-1.2, Program B-1.3, Program B-1.4, Program B-1.5, Program B-1.6, Program B-1.7; Hydrology and Water Quality Policy B-2; Hydrology and Water Quality Policy C-1, Program C-1.1, Program C-1.2, Program C-1.3, Program C-1.4, Program C-1.5, Program C-1.6; Hydrology and Water Quality Policy C-2, Program C-2.1; Hydrology and Water Quality Policy C-3, Program C-3.1, Program C-3.2; and Hydrology and Water Quality Policy C-4.

(b) Facts in Support of the Findings

The Base Reuse Plan PEIR identified four potential water sources, including importing water from outside Monterey County, importing water from Salinas Valley, desalinization, and on-site storage. These reasonable long-term water supply options and adherence to Base Reuse Plan policies and programs and additional recommended Mitigation Measures will lessen potential impacts. However, given that uncertainty exists concerning the previously-identified long-term water supply options, and since sufficient water supplies will not be ensured to Project Phases IV through VI, cumulatively considerable unavoidable impacts to water supply will occur, despite compliance with Mitigation Measure W-1 and the Base Reuse Plan Policies and Programs.

DRAFT CEQA FINDINGS

F. LAND USE PLANNING

1. Compliance with Fort Ord Reuse Plan

The Project may conflict with two policies that were developed for the purpose of avoiding or mitigating environmental impacts, as there is currently not sufficient water to serve buildout of the Specific Plan: Hydrology and Water Quality Policy B-1; and Hydrology and Water Quality Policy B-2. As such, the Project will conflict with the Base Reuse Plan.

(a) Findings

Changes or alterations have been required in the Project that lessen the Project's environmental impacts. Specifically, Mitigation Measure W-1, previously discussed, imposed upon the Project lessens the significant impact.

(b) Facts in Support of the Findings

Mitigation Measure W-1 requires that prior to the approval of any discretionary permits or entitlements (tentative map, use permits, etc.) for each future development that implements the Specific Plan, the Applicant(s) of the development(s) must provide proof of an adequate water supply. However, sufficient water supplies cannot be ensured at this time for Project Phases IV through VI. The Marina Coast Water District, in associated with the Fort Ord Reuse Authority and the Monterey Regional Water Pollution Control Agency, are in the process of developing supplemental water supply. Because CEQA requires that the EIR consider the whole of the Project (all phases), the EIR conservatively concludes that despite the imposition of Mitigation Measure W-1, the Project will conflict with these Hydrology and Water Quality Policy B-1 and Hydrology and Water Quality Policy B-2., resulting in a significant and unavoidable impact.

G. WATER

1. Water Supply

Of the 1,722 AFY of groundwater Fort Ord Reuse Authority allocated to the City and County combined, the City/County have sub-allocated 1,309.1 AFY, with a remaining 412.9 AFY unallocated. Of the 587 AFY of future recycled water Fort Ord Reuse Authority allocated to the City and County combined from the Phase 1 Recycled Water Project the City had previously committed to supply recycled water to golf courses when it became available, and that annual demand was estimated to be 430 AFY (for the Bayonet/Blackhorse Golf Courses), with a remaining 157 AFY. However, the City is no longer using this water to irrigate golf courses and therefore, that water is available to be allocated to other uses. Overall, the remaining unallocated water supply totals 569.9 AFY, including 412.9 AFY of groundwater and 157 AFY of recycled

DRAFT CEQA FINDINGS

water. Therefore, there is not sufficient supply to meet the Project's total projected water demand of 852.5 AFY which is a potentially significant impact.

(a) Findings

Changes or alterations have been required in the Project that lessen the Project's environmental impacts. Specifically, Mitigation Measure W-1, previously discussed, imposed upon the Project lessens the significant impact.

(b) Facts in Support of the Findings

Mitigation Measure W-1 requires that prior to the approval of any discretionary permits or entitlements (tentative map, use permits, etc.) for each future development that implements the Specific Plan, the Applicant(s) of the development(s) must provide proof of an adequate water supply. Despite compliance with Mitigation Measure W-1, given the uncertainties involving the water supply options, sufficient water supplies will not be ensured to Phases IV through VI. Because CEQA requires that the EIR consider the whole of the Project (all phases), the EIR conservatively concludes that despite the imposition of Mitigation Measure W-1, impacts concerning water supply availability will remain significant and unavoidable.

2. Cumulative Impacts-Water Supply

Implementation of the Base Reuse Plan will result in an increased demand for new water supplies. The proposed Project will contribute to the need for new water supplies which is a potentially cumulatively significant impact.

(a) Findings

Changes or alterations have been required in the Project that lessen the Project's environmental impacts. Specifically, Mitigation Measure W-1, previously discussed, and the following Base Reuse Plan policies and programs imposed upon the Project lessen the significant impact:

Hydrology and Water Quality Policy B-1, Program B-1.2, Program B-1.3, Program B-1.4, Program B-1.5, Program B-1.6, Program B-1.7; Hydrology and Water Quality Policy B-2; Hydrology and Water Quality Policy C-3, Program C-3.2, Program C-3.1

(b) Facts in Support of the Finding

Mitigation Measure W-1 requires that prior to the approval of any discretionary permits or entitlements (tentative map, use permits, etc.) for each future development that implements the Specific Plan, the Applicant(s) of the development(s) must provide proof of an adequate water supply. Despite compliance with Mitigation Measure W-1, given the uncertainties involving the water supply options sufficient water supplies will not be ensured to Phases IV through VI.

DRAFT CEQA FINDINGS

Because CEQA requires that the EIR consider the whole of the Project (all phases), the EIR conservatively concludes that despite the imposition of Mitigation Measure W-1, significant and unavoidable cumulatively-considerable impacts to water supply will occur.

X. PROJECT ALTERNATIVES

The Draft SEIR fully analyzed five alternatives, Alternatives 6.1.1, 6.1.2, 6.2, 6.3, and 6.4. Below is an analysis detailing the City Council's reasons for rejecting Alternatives that would reduce significant and unavoidable impacts resulting from the Project.

A. ALTERNATIVE 6.1.1: NO PROJECT/NO DEVELOPMENT ALTERNATIVE

1. Summary of Alternative

The No Project/No Development Alternative would retain the Project site in its current condition. With this Alternative, the site's existing improvements associated with the site's former use as a military base would remain. Under the No Project/No Development Alternative, the Specific Plan would not be adopted and new development would not occur. A master-planned, equestrian-themed, mixed use village, as proposed by the Project, would not be developed. None of the requested entitlements (SPL-12-01, PZ-12-01, ANX-12-01, GPA-12-01, SOI-12-01, and ZA-12-02) would be implemented. Additionally, none of the subdivisions or improvements proposed as part of TM-12-01 would be implemented.

2. Reason for Rejecting Alternative

Implementation of the No Project/No Development Alternative would result in the elimination of all significant and unavoidable impacts associated with the Project identified in the EIR including impacts to aesthetics, air quality, biological resources, greenhouse gas emissions, hydrology and water quality, land use and planning, transportation and traffic, and utilities. However, the No Project/No Development Alternative fails to meet any of the Project objectives.

3. Conclusion Regarding Alternative 6.1.1

The City Council hereby finds that failure to meet any of the Project objectives is an independent ground for rejecting Alternative 6.1.1 as socially infeasible and by itself, independent of any other reason, justifies rejection of Alternative 6.1.1.

DRAFT CEQA FINDINGS

B. ALTERNATIVE 6.1.2 NO PROJECT/EXISTING LAND USE DESIGNATIONS

1. Summary of Alternative

The “No Project/Existing Land Use Designations” Alternative assumes development of the Project site with the land use designations on the 1997 Base Reuse Plan Land Use Concept and Ultimate Development map. This alternative would result in more intensive development than would the proposed Project, including 1,559 residences, 2.8 million square feet of business park/light industrial/office/research and development uses, 100 acres of military enclave, and 20 acres of public facility/institutional uses. This alternative would result in the same level of impacts for biological resources, cultural resources, hazards and hazardous materials, hydrology and water quality, land use and planning, and population and housing, but greater impacts for aesthetics, air quality, geology and soils, greenhouse gas emissions, noise, public services and recreation, transportation and traffic, and utilities and service systems.

2. Reason for Rejecting Alternative

This alternative would result in greater impacts and therefore, CEQA does not require the Lead Agency to make findings regarding this alternative.

C. ALTERNATIVE 6.2- “REDUCED DENSITY” ALTERNATIVE

1. Summary of Alternative

The “Reduced Density” Alternative assumes development of the entire Project site similar to the proposed Project; however, it reduces the residential uses by approximately 50 percent, the non-residential uses square footage by 61 percent, and includes an increase in 100 acres of open space/recreation uses.

2. Reason for Rejecting Alternative

Implementation of the Reduced Density Alternative would result in the reduction of some significant and unavoidable impacts associated with the Project, but not to a less than significant level including aesthetic impacts, air quality impacts, biological resources (loss of 215 acres of oak woodlands), water demand impacts (hydrology/water quality, land use and planning, and water demand), and some traffic impacts.

Significant impacts associated with greenhouse gas emissions and some traffic impacts could be mitigated to a less than significant level.

DRAFT CEQA FINDINGS

3. Conclusion Regarding Alternative 6.2

Although Alternative 6.2, the Reduced Density Alternative, would reduce some significant and unavoidable impacts associated with the Project, the City Council hereby finds that failure to meet the Project objectives regarding housing to the same extent as the Project makes this Alternative socially infeasible and undesirable and by itself, independent of any other reason, justifies rejection of Alternative 6.2. In addition, the Applicant has submitted information and substantial evidence demonstrating that this Alternative is financially infeasible, and the City Council hereby finds that the financial infeasibility of this Alternative by itself, independent of any other reason, justifies rejection of Alternative 6.2.

D. ALTERNATIVE 6.3- “MODIFIED PROJECT” ALTERNATIVE

1. Summary of Alternative

The “Modified Project” Alternative assumes land use modifications, including additional residential and open space uses in place of the Project’s proposed commercial uses and Monterey Downs Equestrian Training Track and sports arena. This Alternative involves similar land uses as the Project, including residential, the Central Coast Veterans Cemetery, Oak Oval, and Monterey Horse Park. The Modified Project Alternative involves 138 percent more dwelling units and 91 percent less non-residential square footage.

2. Reason for Rejecting Alternative

This Alternative would not eliminate or substantially reduce the significant unavoidable impacts associated with aesthetics, biological resources, air quality, greenhouse gas emissions, and water demand and in fact, would result in greater impacts to some of these resources. Further, implementation of the Modified Project Alternative would result in increased impacts related to air quality, geology and soils, greenhouse gases, population and housing, public services and water when compared to the project.

Additionally, the Modified Project Alternative would not meet the following Project objectives:

- Creating a walkable vibrant, mixed-use equestrian-themed village with jobs, housing, recreation, and a Veterans Cemetery.
- Producing thousands of permanent jobs.
- To support a project that is consistent with and furthers the goals and objectives of the Fort Ord Base Reuse Plan (BRP) to replace the jobs lost with the closure of the former Fort Ord.

DRAFT CEQA FINDINGS

- To enable economic opportunities that bring higher paying jobs and generate increased revenues that will enable the City to provide quality services to its residents.

It is unknown whether this Alternative would meet the following objectives:

- To ensure that the Project provides sufficient mitigation and revenue to fund City services and infrastructure provided to the area.
- To ensure access to the Fort Ord Recreational Habitat Area (FORA) and to the Fort Ord National Monument.
- To integrate the Project with existing and planned roadway improvements on Fort Ord and surrounding community.

3. Conclusion Regarding Alternative 6.3

The City Council hereby finds that Alternative 6.3 would not substantially reduce or eliminate the significant and unavoidable environmental impacts of the project, and that this failure to reduce or eliminate these impacts justifies rejecting the Alternative. In addition, the City Council hereby finds that failure to meet the Project objectives stated above is an independent ground for rejecting Alternative 6.3 and by itself, independent of any other reason, justifies rejection of Alternative 6.3.

E. **ALTERNATIVE 6.4- “ALTERNATE SITE” ALTERNATIVE**

1. Summary of Alternative

The “Alternate Site” Alternative would utilize an area known as Seaside East, a 495-acre property that is located entirely within the City of Seaside and that was formerly part of the Fort Ord Army base. The Alternative Site, which is located north and south of Eucalyptus Road, east of General Jim Moore Boulevard, and west of the Fort Ord National Monument, encompasses an area that is approximately 30 percent (216 acres) smaller than the Project site. This Alternative excludes the open space acreage associated with the Oak Oval and places the Project’s proposed land uses at the Alternate Site, excluding the Monterey Downs Equestrian Training Track. Despite the property’s smaller size, with the exclusion of the Training Track, all of the Project’s proposed land uses would be accommodated at the Alternate Site. This Alternate Site alternative does not preclude a project from being developed in the future on the Project site, consistent with the Fort Ord Base Reuse Plan.

DRAFT CEQA FINDINGS

2. Reason for Rejecting Alternative

Implementation of the Alternate Site Alternative would lessen some significant and unavoidable impacts associated with the Project. However, this Alternative would not reduce any of these impacts to a less than significant level. Alternative 6.4 would result in greater environmental impacts related to cultural resources and noise.

The Modified Project Alternative would not meet the following Project objectives:

- Preserving, restoring, and incorporating native habitats adjacent to and within the Specific Plan.
- To support a project that is consistent with and furthers the goals and objectives of the Fort Ord Base Reuse Plan (BRP)
- To fulfill the City's obligation under the MOU by and between the City, the County of Monterey, and FORA for the long-term operation and maintenance of the Veterans' Cemetery through sale of the "Endowment Parcel."
- To enable economic opportunities that bring higher paying jobs and generate increased revenues that will enable the City to provide quality services to its residents.

Further, it is unknown whether this Alternative would meet the following objectives:

- To ensure that the Project provides sufficient mitigation and revenue to fund City services and infrastructure provided to the area.
- To integrate the Project with existing and planned roadway improvements on Fort Ord and surrounding community.

3. Conclusion Regarding Alternative 6.4

The City Council hereby finds that failure to meet the Project objectives stated above is an independent ground for rejecting Alternative 6.4 and by itself, independent of any other reason, justifies rejection of Alternative 6.4. The City Council hereby further finds that Alternative 6.4 would result in greater impacts to cultural resources and noise while not reducing any of the Project's significant and unavoidable impacts to less than significant levels, and that this is an independent ground by itself, independent of any other reason, justifying rejection of Alternative 6.4.

City of Seaside
DRAFT
Mitigation Monitoring and Reporting Program

Project Name: Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan

File No: SPL 12-01

Approval by: _____ **Date:** _____

Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
AES-1 <u>Construction Management Plan.</u> Prior to issuance of any grading permits for each development phase, a Construction Management Plan shall be submitted for review and approval by the City Engineer/Public Works Services Manager. The Construction Management Plan shall, at a minimum, indicate the equipment and vehicle staging areas, stockpiling of materials, fencing (i.e., temporary fencing with opaque material), and haul route(s). Staging areas shall be sited and/or screened in order to minimize public views to the maximum extent practicable. Construction haul routes shall minimize impacts to sensitive uses in the City.	Prior to the issuance of any grading permits for each development phase: 1. Submit Construction Management Plan to City Engineer/Public Works Service Manager for review for conformance with the criteria of the mitigation measure.	Applicant(s)	City of Seaside	
AES-2 <u>City's Eastern Gateway.</u> As part of the Site Plan review for development within the REC-1 and REC-2 Planning Areas, the Applicant shall prepare plans to relocate the City's eastern Gateway to the Specific Plan area's northeastern boundary at Eastside Parkway, in order to establish an entrance to the City. Such plans shall be submitted to the City Planning Department for review and shall include landscaping, design themes, landmark features, and signage in accordance with the Seaside General Plan Urban Design Element's Urban Design Plan UD-1.1.1.	Prior to approval of use permits for the REC-1 and REC-2 Planning Areas: 1. Submit plans to relocate the City's eastern Gateway to the Specific Plan area's northeastern boundary at Eastside Parkway to the City Planning Department for review for conformance with the criteria of the mitigation measure	Applicant(s) for REC-1 and REC-2 Planning Areas	City of Seaside	
AES-3 <u>Lighting Plan.</u> Prior to issuance of any construction permit for the REC-1 and REC-2 Planning Areas, the Applicant shall prepare a comprehensive Lighting Plan that shall be submitted to the Seaside Planning Department for review and approval by the Board of Architectural Review. The Lighting Plan shall:	Prior to the issuance of any building permit for the REC-1 and REC-2 Planning Areas: 1. Submit a Lighting Plan to the Planning	Applicant(s) for REC-1 and REC-2 Planning Areas	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
• Be prepared by a qualified engineer who is an active member of the Illuminating Engineering Society of North America (IESNA) using guidance and best practices endorsed by the International Dark Sky Association; • Be based on a Photometric Study prepared by a qualified engineer who is an active member of the IESNA and provided as an attachment to the Lighting Plan; • Provide the specific technical data and performance criteria used as the basis for the Lighting Plan; • Demonstrate that the illumination levels are the maximum allowed by Seaside Municipal Code Section 17.30.070, Outdoor Lighting. • Direct views of all lighting sources downward. • Demonstrate that lighting in the REC-1 and REC-2 Planning Areas do not result in spill light onto the OS Planning Area. The Applicant shall be responsible for implementation of the Lighting Plan.	Department for review for conformance with the criteria of the mitigation measure			
AQ-1 <u>Implement Fugitive Dust Control Measures.</u> The Project Applicant shall not exceed MBUAPCD screening thresholds by limiting areas of active disturbance to no more than 2.2 acres per day for initial site preparation activities that involve extensive earth moving activities (grubbing, excavation, rough grading), or 8.1 acres per day for activities that involve minimal earth moving (e.g., finish grading) during all phases of construction activities. If the Project requires that grading and excavation exceed those acreages, the Project Applicant shall implement the following fugitive dust control measures: • Water all active construction areas at least twice daily (alternatively chemical dust suppressants or windbreaks may be used); • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard; • Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites; • Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites; • Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets; • Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more); • Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.); • Limit traffic speeds on unpaved roads to 15 mph; • Install appropriate best management practices or other erosion control measures to prevent silt runoff to public roadways; • Replant vegetation in disturbed areas as quickly as possible; • Install wheel washers or track-out devices for all exiting trucks and equipment leaving the site; • Limit the area subject to excavation, grading and other construction activity at any one time;	Prior to the issuance of grading permits: 1. Submit construction plans that demonstrate that active areas of disturbance will be limited to no more than 2.2 acres a day for initial site preparation activities or; Daily during construction: 1. If the Project requires grading and excavation that exceed MBUAPCD screening thresholds for active disturbance per day for site preparation, maintain a log of daily construction activities, noting implementation of fugitive dust control measures identified in the mitigation measure.	Applicant(s)	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
- Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints (the person shall respond to complaints and take corrective action within 48 hours); and - Ensure that the phone number of MBUAPCD is visible to the public for compliance with Rule 402 (Nuisance).				
AQ-2 <u>Vehicle Emission Reduction Measures.</u> Prior to issuance of any Grading Permit, the Seaside Director of Public Works Services Manager and Building Official shall confirm that the grading plan, building plans, and specifications stipulate that all off-road construction vehicles/equipment greater than 100 horsepower that will be used on site for more than one week shall: 1) be manufactured during or after 1996, and 2) shall meet the NOX emissions standard of 6.9 grams per brake-horsepower hour. Alternatively, the Project shall implement a combination of the following emission reduction measures on the above described vehicles and equipment: - Require diesel particulate matter filters on equipment; - Require diesel oxidation catalyst on equipment; - Install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors); - Enforce state required idle restrictions (e.g., post signs). Diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate or other bulk materials. Rotating drum concrete trucks may keep their engines running continuously as long as they were onsite and staged away from residential areas; - Properly tune and maintain equipment; and - Stage large diesel-powered equipment at least 100 feet from any active land uses (e.g., residences)	Prior to the issuance of any grading permit: Submit grading plan, building plans, and specifications to Director of Public Works Services Manager and Building Official to review for conformance with the criteria of the mitigation measure for off-road construction vehicles.	Applicant(s)	City of Seaside	
AQ-3 <u>Preparation of an Equestrian Management Plan.</u> Prior to issuance of occupancy permits for any equestrian related facility, the Project Applicant shall consult with the MBUAPCD, as well as submit and receive approval for an Equestrian Management Plan (EMP) to the City of Seaside Planning Division that addresses and includes measures to control objectionable odors. The EMP is required to include the following: Erosion Control - Pasture Management - Site Drainage - Slope Stabilization - Horse Specific BMP's Water Quality/Runoff Mitigation - Roof Runoff - Facility Runoff General Housekeeping - Manure Management - Pest Management (IPM) - Wash Rack Design - Trash/Debris Collection - Hazardous Waste Disposal - Dust Control	Prior to the issuance of occupancy permits for any equestrian related facility: - Submit proof of MBUAPCD consultation regarding the Equestrian Management Plan in meeting MBUAPCD standards - Submit an Equestrian Management Plan to the Planning Department for review for conformance with the criteria of the mitigation measure	Applicant(s) for any Equestrian Related Facility	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
• Winterization - Emergency/Fire Safety • Access • Emergency Preparedness The following are the minimum requirements that shall be included in the EMP: • Clean up manure and soiled beddings daily and place in properly designed manure storage area. • Manure storage areas shall have a concrete (or similar) bottom and shall be covered during rain. • Provide berm or other design solution to keep runoff away from manure storage areas. • Manure from manure storage areas shall be disposed of weekly, preferable to a facility that will reuse for fertilizer or for mushroom farming. • Direct run-off away from corrals, paddocks, arenas, waste storage facilities and other areas that are likely to contain horse waste or be void of vegetation. • Provide grass filter strips, bio-swales or other LID facilities around and downstream of high-use areas. • During dry months, lightly water high use areas to minimize dust. By incorporating the applicable performance standards listed above and outlined in Mitigation Measure HYD-2 and Mitigation Measure BIO-5 (Borderland Requirements), the EMP shall address best management practices (BMPs), including proper installation/maintenance procedures, for odor control, manure/weed control, and runoff pollution site design/source control/treatment control in compliance with NPDES standards and EPA/RWQCB rules/regulations pertaining to water quality/CAFOs at the time of design/construction.				
BIO/COMP-1 <u>HMP Plant Species Salvage</u>. For proposed impacts to the Fort Ord Habitat Management Plan (HMP) plant species within the Project site that do not require take authorization from California Department of Fish & Wildlife (DFW) or U.S. Fish & Wildlife Service (FWS), salvage efforts for these species shall be evaluated by a qualified biologist in coordination with Project Proponent, DFW, and FWS per the HMP requirements and Biological Opinion (BO). Prior to commencement of vegetation removal and grading for the first development area within the Project site, an updated rare plant survey shall be performed and a salvage plan shall be prepared and implemented by a qualified biologist, in coordination with Project Proponent, DFW, and FWS, which shall include, but not be limited to: a description and evaluation of salvage opportunities and constraints for the entire site; the appropriate methods and protocols of salvage and relocation efforts; identification of relocation and restoration areas; and identification of qualified biologists approved to perform the salvage efforts, including the identification of any required collection permits from DFW and/or FWS. Seeds shall be collected during the appropriate time of year for each species by qualified biologists. The salvaged plants and collected seeds shall be used to revegetate temporarily disturbed construction areas as well as any other on or offsite reseeding and restoration efforts in habitat management areas, as determined appropriate in the salvage plan.	Prior to issuance of a grading permit for the first development area: 1. Submit a written report by a qualified biologist, including photographs, to the Community Development Department, describing the results of the rare plant survey. 2. Submit a letter from the Department of Fish and Wildlife or U.S. Fish and Wildlife Service certifying adequacy of the salvage plan for the protection of HMP plant species. 3. Submit a salvage plan prepared by a qualified biologist for review for conformance with the criteria of the mitigation measure.	Applicant(s), Qualified Biologist	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
BIO/COMP-2 <u>Salvage/Relocation Measures for California Legless Lizard</u>. Prior to commencement of vegetation removal and grading for the first development area within the Project site, the Project Proponent shall retain a qualified biologist to prepare and implement a legless lizard salvage/relocation plan in coordination with DFW, which shall include, but not be limited to, the protocols for pre-construction surveys, construction monitoring, and salvage and relocation. The DFW must be notified at least 48 hours before any field activity begins. The plan shall include, but not be limited to, the following: • Pre-Construction Surveys. Pre-construction surveys for legless lizards shall be conducted in all suitable habitat proposed for construction, ground disturbance, or staging. The qualified biologist shall hold or obtain a DFW scientific collection permit for this species. The preconstruction surveys shall use a method called “high-grading.” High grading samples the habitat where legless lizards are most likely to be found, and the survey must occur under the conditions when legless lizards are most likely to be seen and captured (early morning, high soil moisture, overcast, etc.). The intensity of a continued search may then be adjusted, based on the first survey’s results in the best habitat. A “three pass method” shall be used to locate and remove as many legless lizards as possible. A first pass shall locate as many legless lizards as possible, a second pass should locate fewer lizards than the first pass, and a third pass should locate fewer lizards than the second pass. All search passes shall be conducted in the early morning when legless lizards are easiest to capture. Vegetation may be removed by hand to facilitate hand raking and search efforts for legless lizards in the soil under brush. If lizards are found during the first pass, an overnight period of no soil disturbance must occur before the second pass, and the same requirement shall be implemented after the second pass. If no lizards are found during the second pass, a third pass is not required. Installation of a barrier, in accordance with the three pass method, may be required if legless lizards are found at the limits of construction (Project boundaries) and sufficient soft sand and vegetative cover are present to suspect additional lizards are in the immediate vicinity on the adjacent property. A barrier would prevent movement of legless lizards into the property. All lizards discovered shall be handled according to the salvage procedures outlined below. • Construction Monitoring. Monitoring by a qualified biologist shall be ongoing during construction. The onsite monitor shall be present during all ground-disturbing construction activities. To facilitate the careful search for lizards during construction, vegetation may need to be removed. If removal by hand is impractical, equipment such as a chainsaw, string trimmer, or skid-steer may be used, if a monitor and crew are present. The equipment shall be used to remove plants under the monitor’s direction, allowing the monitor to watch for legless lizards. After plants are removed, the monitor and crew shall search the exposed area for legless lizards. If legless lizards are found during construction monitoring, the protocols for salvage and relocation identified below shall be followed. • Salvage and Relocation. Only experienced persons may capture or handle legless lizards. The monitor shall demonstrate a basic understanding, knowledge, skill, and experience with this species and its habitat. Once captured, a lizard shall be placed in a lidded, vented box containing clean sand. Areas of moist and dry sand need to be present in the box. The boxes shall be kept out of direct sunlight and protected from temperatures over 72°F. The sand shall be kept at temperatures under 66°F. Ideal temperatures are closer to 60°F. On the same day as capture, the lizards shall be examined for injury and data recorded on location where found as well as length, color, age, and tail condition. Once data is recorded, lizards shall be relocated to appropriate habitat, as determined through coordination with the DFW, qualified biologist, and potential landowners. Suitability of habitat for lizard release shall be evaluated and presented in the plan. The habitat shall contain habitat factors most important to the species’ health and survival, such as appropriate habitat based on soils, vegetated cover, native plant species providing cover, plant litter layer and depth, soil and ambient temperature, quality and composition of invertebrate population and prey availability. Potential relocation sites that contain the necessary conditions may exist within the habitat reserves on the former Fort Ord,	Prior to issuance of a grading permit for the first development area within the Project site: 1. Submit a legless lizard salvage/relocation plan prepared by a qualified biologist to the City of Seaside for review for conformance with the criteria of the mitigation measure. 2. Submit a letter from the Department of Fish and Wildlife certifying adequacy of the legless lizard salvage/relocation plan. 3. Submit a written report by a qualified biologist, including photographs, to the Community Development Department, describing the results of the legless lizard pre-construction survey. During construction 1. Submit a written report by a qualified biologist to the Community Development Department certifying construction monitoring and implementation of the salvage and relocation plan according to the criteria in the mitigation measure.	Applicant(s), Qualified Biologist	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
including the Fort Ord National Monument. Release for every lizard shall be recorded with GPS. • Upon completion of pre-construction surveys, construction monitoring, and any resulting salvage and relocation actions, a report shall be submitted to the DFW. GPS locations shall be submitted, as part of the survey result report, to document the number and locations of lizards relocated.				
BIO-1 <u>Impacts to Monterey Spineflower and Sand Gilia</u>. The Project Proponent shall implement the following measures during site design phase for each development: • Monterey spineflower and sand gilia individuals and populations shall be avoided through Project design and modification, to the extent feasible while taking into consideration other site and engineering constraints; or • If impacts to Monterey spineflower and sand gilia cannot be avoided, in compliance with the Federal Endangered Species Act (FESA) and the California Endangered Species Act (CESA), and as required by the California Department of Fish and Wildlife (DFW) and U.S. Fish and Wildlife Service (FWS), incidental take permits for these species shall be obtained prior to issuance of grading permits for each development. Permit requirements typically involve preparation and implementation of a mitigation plan and mitigating impacted habitat at a 3:1 ratio through preservation and/or restoration. The mitigation plan would include, but is not limited to, identifying avoidance and minimization measures; a take assessment; compensatory mitigation lands and success criteria; and funding assurances. • Alternatively, ground-disturbing activities for each development may be delayed until the Fort Ord Habitat Conservation Plan (HCP) is approved and base-wide state incidental take permits are issued. If this alternative is chosen, project-specific incidental take permits shall not be necessary; however, all applicable HCP requirements shall be implemented.	Prior to approval of final site plans for each development: 1. Submit site plans that incorporate design features or modifications to avoid the spineflower and sand gilia individuals and populations. Prior to issuance of grading permits for each development: 1. If the spineflower and sand gilia cannot be avoided through Project design, submit proof that incidental take permits have been obtained as required by the California Department of Fish and Wildlife, U.S Fish and Wildlife Service, and this mitigation measure, or; 2. Delay ground disturbing activities until the Fort Ord Habitat Conservation Plan is approved and upon approval submit proof that development complies with all applicable HCP requirements.	Applicant(s)	City of Seaside	
BIO-2 <u>Construction Best Management Practices</u>. The following best management practices shall be written into construction permit documentation and implemented during construction to reduce impacts to special-status plant and wildlife species: • A qualified biologist shall conduct an Employee Education Program for the construction crew prior to any construction activities on the following items: 1) the appropriate access route(s) in and out of the construction area and review of Project boundaries; 2) how a biological monitor shall examine the area and agree upon a method which shall ensure monitor safety during such activities, 3) the special-status species that may be present; 4) the specific mitigation measures that shall be incorporated into the construction effort; 5) the general provisions and protections afforded by the California Department of Fish and Wildlife (DFW) and U.S. Fish and Wildlife Service (FWS); and 6) the proper procedures if a special-status species is encountered within the Project site. • Trees and vegetation not planned for removal or trimming, shall be protected prior to and during construction to the maximum extent feasible through the use of exclusionary fencing, such as hay bales for herbaceous and shrubby vegetation, and protective wood barriers for trees. Only certified weed-free straw shall be used to avoid the introduction of non-native, invasive species. A biological monitor shall supervise the installation of protective fencing and monitor at least once per week until construction is complete to ensure that the protective fencing remains intact.	Prior to issuance of any construction permits: 1. Submit construction plans that include best management practices identified in the mitigation measure Prior to commencement of development activities: 1. Submit a letter from a qualified biologist verifying that the educational program has been completed, noting date(s) subject(s) covered, material(s) distributed, and attendees and affiliation with the Project.	Applicant(s), Qualified Biologist, Responsible Contractor	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
• Grading, excavating, and other activities shall utilize standard erosion control techniques to minimize erosion and sedimentation. • No firearms shall be allowed within areas under construction, except for law enforcement and authorized security personnel. • All food-related and other trash shall be disposed of in closed containers and removed from the Project area at least once a week during the construction period, or more often if trash is attracting avian or mammalian predators. Construction personnel shall not feed or otherwise attract wildlife to the area. • Following construction, disturbed areas shall be restored to pre-Project contours to the maximum extent feasible and revegetated using locally-occurring and salvaged native plants/seeds and native erosion control seed mix, per the recommendations of a qualified biologist.	Monthly during construction: 1. Submit report, including photographs, by a qualified biologist or the responsible contractor to the Community Development Department certifying that the protection measures have been satisfactorily implemented.			
BIO-3 <u>Construction-Phase Monitoring.</u> Prior to the start of construction activities, the Project Proponent shall retain a qualified biologist to monitor all ground disturbing activities (i.e., vegetation removal, grading, excavation, or similar activities) to protect any special-status species encountered. Any handling and relocation protocols of special-status wildlife species shall be determined in coordination with U.S. Fish and Wildlife Service (FWS) prior to any ground disturbing activities, and conducted by a qualified biologist with appropriate scientific collection permit. After ground disturbing activities are complete, the qualified biologist shall train an individual from the construction crew to act as the onsite construction biological monitor. The construction biological monitor shall be the contact for any special-status wildlife species encounters, shall conduct daily inspections of equipment and materials stored onsite and any holes or trenches prior to the commencement of work, and shall ensure that all installed fencing stays in place throughout the construction period. The qualified biologist shall then conduct regular scheduled and unscheduled visits to ensure the construction biological monitor is satisfactorily implementing all appropriate mitigation protocols. Both the qualified biologist and the construction biological monitor shall have the authority to stop and/or redirect Project activities to ensure protection of resources and compliance with all environmental permits and Project conditions. The qualified biologist and the construction monitor shall complete a daily log summarizing activities and environmental compliance throughout the Project's construction phase. The log shall also include any special-status wildlife species observed and relocated.	Prior to issuance of grading permits: 1. Submit proof that a qualified biologist has been retained to monitor all ground disturbing activities 2. Submit a letter from the U.S. Fish and Wildlife Service that protocols for handling and relocation of special-status species have been established Prior to issuance of construction permits: 1. Submit proof that any handling or relocation of special-status wildlife was conducted by a qualified biologist with an appropriate scientific collection permit 2. Submit proof that the qualified biologist trained an individual from the construction crew to act as the onsite construction biological monitor During construction: The qualified biologist and construction monitor shall complete daily logs summarizing activities and environmental compliance through the construction phase and identifying any special-status wildlife species observed and relocated Submit monthly reports from the	Applicant(s); Qualified Biologist, Trained Construction Monitor	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
	qualified biologist that certify that regular scheduled and unscheduled visits were conducted to ensure that the construction monitor is satisfactorily implementing all appropriate mitigation protocols			
BIO-4 <u>Non-Native, Invasive Species Controls</u>. The following measures shall be written into construction permit documentation and implemented during construction to reduce the introduction and spread of non-native, invasive species: - Any landscaping or replanting required for the Project shall not use species listed as noxious by the California Department of Food and Agriculture (CDFA). California Invasive Plant Council (http://www.cal-ipc.org/ip/inventory/index.php), and Fort Ord Weed Management Group (Recommendations for Invasive Plant Species to Control on the Former Fort Ord, February 2013). - Bare and disturbed soil shall be landscaped with CDFA recommended seed mix or locally-occurring and salvaged native plants/seeds and native erosion control seed mix, per the recommendations of a qualified biologist, to preclude the invasion on noxious weeds in the Project site. Examples of local sources of appropriate seed mixes include, but are not limited to, Return of the Native Nursery, Watershed Institute Nursery, California State University at Monterey Bay, and Bureau of Land Management/Fort Ord National Monument (BLM/FONM). - Construction equipment shall be cleaned of mud or other debris that may contain invasive plants and/or seeds and inspected to reduce the potential of spreading noxious weeds, before mobilizing to arrive at the construction site and before leaving the construction site. - All non-native, invasive plant species shall be removed from disturbed areas prior to replanting.	Prior to issuance of grading permits: 1. Include measures for invasive species controls identified in the mitigation measure in the construction permit. Monthly during construction: 1. Submit a report by a qualified biologist to the Community Development Department certifying that the protection measures identified in the mitigation measure have been satisfactorily implemented.	Applicant(s), Qualified Biologist	City of Seaside	
BIO-5 <u>Implement Borderland Requirements</u>. Borderland requirements shall be implemented prior to issuance of any grading permit within Army Parcel Number E19a.3, which consists of Planning Areas REC-1, REC-2, C-2, RM, and VC. The Project Proponent shall prepare a Fire Protection/Management Plan for Planning Areas REC-1, REC-2, C-2, RM and VC and submit to the City of Seaside Planning Division and Fire Department for approval prior to approval of final maps for Army Parcel Number E19a.3. The Fire Protection/Management Plan shall include the following measures: - Establish and maintain fuelbreaks. Fuelbreaks shall be established within Borderlands and habitat management areas, which include the parcels adjacent to the BLM Natural Resource Management Area (NRMA) and adjoining habitat areas (within Army Parcel Number E19a.3, which consists of Planning Areas REC-1, REC-2, C-2, RM, and VC). Fuelbreaks shall be located at the urban/wildland interface (not necessarily at the parcel boundary), shall be installed on the Borderland parcel (not in the adjacent habitat management area), and shall be contiguous. The fuelbreak's size shall be determined by fire-wise planning. Fuelbreaks or fuel buffers (e.g., parking areas, irrigated lawns/fairways, or cleared land) must be incorporated into the boundary plans for Borderland parcels. The following measures shall be required as part of fuelbreak establishment and maintenance: - Establish fuelbreaks within existing roads and trails to the extent possible. - Conduct maintenance of fuelbreaks during summer months to the maximum extent possible within potential California tiger salamander (CTS) upland habitat to avoid impacts on this species. - Maintain fuelbreaks necessary to support a prescribed burn or to contain a potential wildfire to	Prior to approval of final site plans for REC-1, REC-2, C-2, RM, and VC: 1. Submit a Water Quality Management Plan, or functional equivalent, to the City for review for conformance with the criteria in the mitigation measure. 2. Include storm water detention/retention features in the construction plans according to the criteria in the mitigation measure. Prior to issuance of a grading permit for REC-1, REC-2, C-2, RM, and VC: 1. Submit proof that borderland requirements were implemented. 2. Submit a Fire Protection/ Management Plan to the Seaside Planning Division and Fire Department for review for	Applicant(s)	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
the habitat management areas, not for other uses. - Remove vegetation with hand tools, chainsaws, ASV equipment, or tractor operated mowers where possible. - Manage cut vegetation to avoid impacts on HMP species. Within potential CTS habitat, do not pile cut vegetation for longer than 3 months. Cut vegetation or burn or grind in place during the wet season. - Limit placement of chipped vegetation in areas cleared for fuelbreaks to allow for reestablishment of annual HMP plant species. - Avoid mowing or use of heavy equipment in maintaining fuelbreaks during the wet season. - Maintain fuelbreaks to ensure fuel loads are kept low enough to prevent the spread of fire. • Establish and maintain fuel management buffer to protect habitat management areas and property. Borderland parcels shall establish a fuel management buffer between the development's edge and the habitat management area boundaries. • Invasive Species Control: The Project Proponent shall implement the following measures and incorporate these measures into final development plans within Army Parcel Number E19a.3, which consists of Planning Areas REC-1, REC-2, C-2, RM, and VC; and submit to the City of Seaside Planning Division for approval prior approval of final maps. - Conduct an access assessment to identify necessary access controls for Borderland parcels. In some cases, structures including fences or other appropriate barriers may be required within the new development parcel to control access into the habitat management areas. An assessment of access issues and necessary controls shall be completed as part of the planning process for Borderland parcels and submitted to the City of Seaside for review and approval, prior to development, and shall include review through the Coordinated Resource Management and Planning Program (CRMP). Signs, interpretive displays, trailhead markers, or other information shall be installed and maintained at the urban/wildland interface that illustrate the adjacent habitat management area's importance and prohibit trespass, motor vehicle entry, dumping of trash or yard wastes, off-leash pets, capture or harassment of wildlife, the collection of HMP plant species, and other unauthorized activities. - Incorporate non-native species control features into final site design. Detention ponds, ornamental lakes, and other water features associated with new development shall be sited as far from the urban/wildland interface as possible. Suitable barriers shall be located between these features and the habitat management area boundary to prevent these features from becoming "sinks" for HMP animal species, as well as sources for invasive non-natives that could then move into the adjacent habitat management area. - If detention ponds, artificial ponds or other water bodies must be located at the urban/wildland interface, a specific management program addressing control of non-native animals (e.g., bullfrogs) shall be prepared and submitted to the governing jurisdiction for review and approval, including review through the CRMP program, prior to development. The governing jurisdiction shall require that the Project Proponent design detention basins to drain rapidly after a storm event so that these water features minimize attracting breeding of nonnative CTS and other invasive species, such as bullfrogs. Design features shall be subject to review and approval by the U.S. Fish & Wildlife Service (FWS), California Department of Fish & Wildlife (DFW), and City of Seaside. Stormwater system design shall be part of an approved stormwater pollution prevention program (SWPPP). - All proposed permanent aquatic features shall be designed with the ability to be drained if necessary to control invasion by invasive aquatic species.	conformance with the criteria in the mitigation measure.			

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
• Consistent with BRP Objective A, Biological Resources Policy A-1, Program A-1.2, a suitable barrier shall be constructed where vehicle access would occur along the urban/wildland interface where habitat in the Borderlands no longer exists and where this interface comes within 1 2 kilometers of a known CTS breeding pool, unless CTS absence has been demonstrated using the survey protocol approved by FWS and DFW, or if FWS determines this barrier is unlikely to substantially minimize take of CTS. • Landscaping and Lighting: The Project Proponent shall prepare a landscaping and lighting plan for approval by the City of Seaside Planning Division prior to approval of final maps. The landscaping and lighting plans shall incorporate the following measures into the final development plans within Army Parcel Number E19a.3, which consists of Planning Areas REC-1, REC-2, C-2, RM, and VC: - Landscaping within the Borderlands (within Army Parcel Number E19a.3, which consists of Planning Areas REC-1, REC-2, C-2, RM, and VC) shall consist of native or non-invasive non-native plant species. Any landscaping or replanting required for the Project shall not use species listed as noxious by the California Department of Food and Agriculture (CDFA). - During construction activities, artificial lighting shall be limited at the urban/wildland interface. - Outdoor lighting associated with new development shall be low intensity, focused, and directional to preclude night illumination of the adjacent habitat management area. Outdoor lighting shall be placed as far from the urban/wildland interface as possible given safety constraints. Public facilities such as ball parks and fields that require high intensity night lighting (i.e., flood lights) shall be sited as far from the urban/wildland interface as possible. High-intensity lighting facing the habitat management areas shall be directional and as low to the ground as possible to minimize long distance glare. The Project Proponent shall prepare a Water Quality Management Plan, or functional equivalent, prior to approval of final development plans. Storm water detention/retention features shall also be included in the Construction Drawings to mitigate impacts of changes in imperviousness, as identified in the site-specific hydrology study. The Water Quality Management Plan shall include BMPs designed to collect, detain, treat, infiltrate/evapotranspire, and discharge runoff onsite before discharging into the City storm drain system. To the maximum extent practical, storm water quality treatment shall be provided with infiltration. The treatment methods shall include but are not limited to: infiltration wells, infiltration basins, high-efficiency planter boxes, and surface planting areas. Additionally, stormwater detention basins or other water features created on the property shall be designed so that they do not attract breeding CTS, unless designed to function as a population source, which shall be determined through consultation with FWS and DFW. Accordingly, the eventual number of adult CTS produced at the site must exceed mortality such that breeding effort is not wasted. If CTS are found on the property, the owner shall work with the CRMP to implement monitoring and management actions as necessary. The Project Proponent shall provide education materials. The following Borderland requirements shall be implemented for the Monterey Horse Park (REC-1 Planning Area) and Monterey Downs Planning Areas REC-2, C-1, C-2, RM, R-1, R-2, R-3, OS and PF: • Prior to construction activities, the City shall provide educational materials to property owners in Borderland parcels. • The City shall provide educational materials (e.g., newsletters), annually, to all new property owners in Borderland parcels, to ensure compliance with design and management requirements. • Prior to issuance of occupancy permit(s), the Project Proponent shall install interpretive signage at aquatic features accessible to the public regarding the environmental consequences of releasing non-native species				

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
into aquatic features.				
BIO-6 <u>Avoidance of impacts to Kellogg's horkelia</u> within the Monterey Downs residential areas (R-1, R-2, R-3, and RM Planning Areas) and commercial areas (C-1 and C-2 Planning Areas). - Impacts to individuals shall be avoided through Project design and modification, to the extent feasible while taking into consideration other site and engineering constraints; or - If avoidance is not feasible, the area of impacted species shall be replaced at a 1:1 ratio through preservation, restoration, or combination of both. A Rare Plant Restoration Plan, which outlines the success criteria for implementation, shall be prepared and implemented by a qualified biologist and submitted to the City of Seaside for approval prior to issuance of a grading permit. The plan shall include, but not be limited to, the following: - A detailed description of onsite and/or offsite mitigation areas, salvage of seed and/or soil bank, plant salvage, seeding, and planting specifications, including, if appropriate, increased planting ratio to ensure the applicable success ratio. Specifically, seed shall be collected from the onsite individuals that shall be impacted and grown in a local greenhouse, and then transplanted within the mitigation area. Plants shall be transplanted with a minimum five-gallon specimen tree and in a location approved by the board of architectural review in order to develop a good root system. - A description of a three-year monitoring program, including specific methods of vegetation monitoring, data collection and analysis, restoration goals and objectives, success criteria, adaptive management if the criteria are not met, reporting protocols, and a funding mechanism shall be prepared. - The mitigation area shall be preserved in perpetuity through a conservation easement or other legally enforceable land preservation agreement. Exclusionary fencing shall be installed around the mitigation area to prevent disturbance until success criteria have been met.	Prior to approval of final improvement plans or R-1, R-2, R-3, RM, C-1, and C-2 Planning Areas: - Incorporate design features or modifications to avoid the Kellogg's horkelia individuals and populations. Prior to issuance of grading permits for each development: - If the Kellogg's Horkelia cannot be avoided through Project design, a Rare Plant Restoration Plan shall be prepared by a qualified biologist and submitted to the City for review for conformance with the criteria of the mitigation measure. - A report shall be submitted by a qualified biologist certifying implementation of the Rare Plant Restoration Plan according to the mitigation measure criteria. Upon completion of the three year monitoring program: - Submit a report to the City detailing the three-year monitoring program, including specific methods of vegetation monitoring, data collection and analysis, restoration goals and objectives, success criteria, adaptive management if the criteria are not met, reporting protocols, and a funding mechanism.	Applicant(s), Qualified Biologist	City of Seaside	
BIO-7 <u>Avoidance and Minimization Measures for California Tiger Salamander</u>. For construction activities proposed within potential California tiger salamander upland habitat in the Monterey Horse Park (REC-2), Monterey Downs Planning Areas REC-2, C-1, C-2, RM, R-1, R-2, R-3, OS and PF, excluding Seaside corporation yard site, and Oak Oval (see Figure 4.3-5, Upland CTS Habitat within Monterey Downs - DFW Analysis) and in the CCVC (see Figure 4.3-6, Upland CTS Habitat within CCVC - DFW Analysis), one of the following measures shall be implemented: In compliance with the Federal Endangered Species Act (FESA) and California Endangered Species Act (CESA), and as required by the California Department of Fish and Wildlife (DFW) and U.S. Fish and Wildlife Service (FWS), incidental take permits for California tiger salamander shall be obtained prior to issuance of any grading permit for the Monterey Horse Park REC-2), Monterey Downs Planning Areas	Prior to the issuance of any grading permits for the Monterey Horse Park (REC-2), Monterey Downs Planning Areas REC-2, C-1, C-2, RM, R-1, R-2, R-3, OS and PF, excluding Seaside corporation yard site, and Oak Oval (see Figure 4.3-5, Upland CTS Habitat within Monterey Downs - DFW Analysis) and in the CCVC: Submit proof that incidental take	Applicant(s)	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
REC-2, C-1, C-2, RM, R-1, R-2, R-3, OS and PF, excluding Seaside corporation yard site, Oak Oval, and CCVC. Permit requirements typically involve preparation and implementation of a mitigation plan and mitigating impacted habitat at a 3:1 ratio through preservation and/or restoration. The mitigation plan shall include, but is not limited to, identifying avoidance and minimization measures; a take assessment; compensatory mitigation lands and success criteria; and funding assurances; or, 2. Alternatively, ground-disturbing activities for each development may be delayed until the Fort Ord Habitat Conservation Plan (HCP) is approved and base-wide federal and state incidental take permits are issued. If this alternative is chosen, project-specific, individual incidental take permits shall not be required; however, all applicable HCP requirements shall be implemented.	permits for California tiger salamander have been obtained as required by the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, and this mitigation measure; or, 2. Delay ground disturbing activities until the Fort Ord Habitat Conservation Plan is approved and upon approval submit proof that development complies with all applicable HCP requirements.			
BIO-8 Pre-Construction Surveys for Special-Status Bats. To avoid and reduce impacts to hoary bat and other special-status bat species, the Project Proponent shall retain a qualified bat specialist or wildlife biologist to conduct a survey during the reproductive season (May 1 through September 15) to characterize bat utilization of the work site (and up to 100 feet of construction limits) and potential species present (techniques utilized shall be determined by the biologist) no more than 30 days prior to removal of any vegetation or building or any other suitable roosting habitat. Based on the results of this pre-construction survey, one or more of the following shall occur: • If bats and/or bat signs are not present, no additional mitigation is required. • If bats and/or bat signs are observed, removal of trees, buildings, or other suitable habitat may proceed after the bats have been safely excluded from the roost. Exclusion techniques shall be determined by the biologist and depend on the roost type; the biologist shall prepare a mitigation plan for provision of alternative habitat to be approved by U.S. Department of Fish and Wildlife (FWS) prior to commencement of bat exclusion activities. • If bats and/or bat signs are observed that are associated with a maternity roost, an appropriate no-disturbance buffer shall be imposed within which no construction activities or disturbance shall take place (buffer width shall be determined by biologist) until the biologist monitoring the roost determines that the young have fledged and are no longer dependent on the roost. The monitor shall ensure that all bats have left the area of disturbance prior to initiation of limbing and/or removal of trees. If avoidance is not feasible and a maternity roost must be disrupted by a qualified biologist, a written authorization from CDFW permit would be required prior to “take” of the roost.	Prior to issuance of grading permits, and no more than 30 days prior to removal of any vegetation, building, or any other suitable roosting habitat, during construction: 1. Submit a written report by a qualified biologist, including photographs, to the Community Development Department, describing the results of the special status bat pre-construction survey. 2. If bats and/or signs of bats are observed, submit a report by a qualified biologist that bats have been safely excluded from the roost. 3. Submit a mitigation plan according to the mitigation measure criteria for provisions of alternative habitat with proof of approval of the plan by the U.S. Department of Fish and Wildlife. 3. If bats and/or signs associated with maternity roost are observed, submit a report from a qualified biologist that appropriate no-disturbance measures were imposed according to the criteria contained in the mitigation measure.	Applicant(s), Qualified Biologist	City of Seaside	
BIO-9 Pre-Construction Surveys for Monterey Dusky-Footed Woodrat. To avoid and reduce impacts to the Monterey dusky-footed woodrat, the Project Proponent shall retain a qualified biologist to conduct a survey in suitable habitat proposed for construction, ground disturbance, or staging within three days prior to these activities to search for woodrat nests within the Project area and in a buffer zone 100 feet out from the limit of disturbance. All woodrat nests observed within the work site (and up to 25 feet of construction limits) shall be flagged for avoidance of direct construction impacts, where feasible. Nests that cannot be avoided shall be manually deconstructed by a qualified biologist prior to land clearing activities to allow	Prior to issuance of grading permits, and within three days prior to construction, ground disturbance, or staging activities: 1. Submit a written report by a qualified biologist, including photographs, to the	Applicant(s), Qualified Biologist	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
animals to escape harm. If a litter of young is found or suspected, nest material shall be replaced, and the nest left alone for 2-3 weeks before a re-check by a qualified biologist to verify that young are capable of independent survival before proceeding with nest dismantling.	Community Development Department, describing the results of the Monterey dusky-footed woodrat pre-construction survey. 2. If evidence of woodrats or nests are found, submit written verification by a qualified biologist that protection measures according to the criteria in the mitigation measure were implemented.			
BIO-10 <u>Pre-Construction Surveys for American Badger.</u> To avoid and reduce impacts to the American badger, the Project Proponent shall retain a qualified biologist to conduct a focused pre-construction survey for badger dens in all suitable habitat proposed for construction, ground disturbance, or staging no more than two weeks prior to construction. If no potential badger dens are present, no further mitigation is required. If potential dens are observed, the following measures shall be implemented to avoid potential significant impacts to the American badger: • If the qualified biologist determines that potential dens are inactive, the biologist shall excavate these dens by hand with a shovel to prevent badgers from re-using them during construction. • If the qualified biologist determines that potential dens may be active, the den entrances shall be blocked with soil, sticks, and debris for three to five days to discourage their use, prior to site disturbance. The den entrances shall be blocked to an incrementally greater degree over the three to five day period. After the qualified biologist determines that badgers have stopped using active dens within the Project boundary, the dens shall be hand-excavated with a shovel to prevent re-use during construction.	Prior to issuance of grading permits, and no more than two weeks prior to construction, ground disturbance, or staging activities: 1. Submit a written report by a qualified biologist, including photographs, to the Community Development Department, describing the results of the American Badger focused pre-construction survey 2. If evidence of badgers or dens are found, submit written verification by a qualified biologist that protection measures according to the criteria in the mitigation measure were implemented	Applicant(s), Qualified Biologist	City of Seaside	
BIO-11 <u>Pre-Construction Surveys for Protected Avian Species.</u> Construction activities that may directly (e.g., vegetation removal) or indirectly (e.g., noise/ground disturbance) affect protected nesting avian species shall be timed to avoid the breeding and nesting season. Specifically, vegetation and/or tree removal can be scheduled after September 16 and before January 31. If construction occurs between February 1 and September 15, a qualified biologist shall be retained by the Project Proponent to conduct a pre-construction survey for nesting raptors and other protected avian species within 500 feet of proposed construction activities. The pre-construction survey shall be conducted no more than 14 days prior to the start of construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). As determined necessary by a qualified biologist, surveys for nesting birds may be required to continue during construction to address new arrivals and unique species breeding seasons. The necessity and timing of these continued surveys shall be determined by the qualified biologist based on review of the final construction plans and in coordination with the California Department of Fish & Wildlife (DFW) and U.S. Fish & Wildlife Service (FWS), as needed. If raptors or other protected avian nests are identified during the above surveys, the qualified biologist shall notify the Project Proponent and an appropriate no-disturbance buffer shall be imposed within which no construction activities or disturbance shall take place (generally 500 feet in all directions for raptors; other avian species may have species-specific requirements) until the young have fledged and are no longer reliant upon the nest or parental care for survival, as determined by the biologist.	Prior to approval of final improvement plans: 1. Construction plans must include a provision that vegetation and or tree removal will be scheduled after September 16 and before January 31; or, Prior to issuance of grading permits, and no more two weeks prior to construction, ground disturbance, or staging activities and during construction: 1. If construction occurs between February 1 and September 15, submit a written report by a qualified biologist, including photographs, to the Community Development Department, describing the results of the American Badger focused pre-construction survey.	Applicant(s), Responsible Contractor	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
	2. If evidence of badgers or dens are found, submit written verification by a qualified biologist that protection measures according to the criteria in the mitigation measure were implemented.			
BIO-12 <u>Avoidance and Minimization Measures for Burrowing Owl.</u> In order to avoid impacts to active burrowing owl nests, a qualified biologist shall conduct pre-construction surveys in suitable habitat within the construction footprint and within 250 feet of the footprint no more than 30 days prior to the start of construction. If ground disturbing activities are delayed or suspended for more than 30 days after the pre-construction survey, the site shall be resurveyed. The survey shall conform to the California Department of Fish and Wildlife (DFW) 1995 Staff Report protocol. If no burrowing owls are found, no further mitigation is required. If it is determined that burrowing owls occupy the site during the non-breeding season (September 1 through January 31), then a passive relocation effort (e.g., blocking burrows with one-way doors and leaving them in place for a minimum of three days) may be necessary to ensure that the owls are not harmed or injured during construction. Once it has been determined that the owls have vacated the site, the burrows can be collapsed, and ground disturbance can proceed. If after completion of the pre-construction passive relocation effort described above, new occupied burrows become established within the construction footprint or immediately adjacent lands (i.e., within 250 feet of the footprint) during construction activities within the breeding season (February 1 to August 31), a construction-free buffer of 250 feet shall be established around all active owl nests. The buffer area shall be enclosed with temporary fencing, and construction equipment and workers shall not enter the enclosed setback areas. Buffers shall remain in place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents. After the breeding season, passive relocation of any remaining owls may take place as described above.	Prior to issuance of grading permits, and no more than thirty days prior to construction, ground disturbance, or staging activities and during construction: 1. Submit a written report by a qualified biologist, including photographs, to the Community Development Department, describing the results of the burrowing owl pre-construction survey conducted in conformance with the criteria of the mitigation measure. 2. Submit proof from the California Department of Fish and Wildlife that the pre-construction survey conforms to the 1995 Staff Report protocol. 3. If burrowing owls are found to occupy the site during non-breeding season then demonstrate proof of a passive relocation effort in conformance with the criteria in the mitigation measure. 4. If after the relocation effort, new occupied burrows become established within the construction footprint or immediately adjacent lands during breeding season, submit proof that a construction-free buffer is established around all active owl nests in conformance with the criteria in the mitigation measure.	Applicant(s), Qualified Biologist, Responsible Contractor	City of Seaside	
BIO-13 <u>Post-Construction Indirect Effects to Special-Status Species.</u> The following Project design features shall be implemented prior to grading permit issuance within the Monterey Horse Park, Monterey Downs, the CCVC, and Oak Oval, to ensure compliance with relevant BRP Policies and Programs: Conservation Element (Policy A-5, Program B-2.1, Program C-2.5, Policy C-3, Program D-2.1, and Program D-2.3); BRP Land Use Element Program B-2.5 and Policy E-1; and BRP Recreation and Open Space Element Policy C-2. • In accordance with BRP Conservation Element Biological Resources Policy A-5, the City shall ensure that habitat management areas as identified on Figure 4.3-4 are protected from degradation due to	Prior to issuance of grading permits: 1. Submit site plans to the City of Seaside that incorporate the design features identified in the mitigation measure.	Applicant(s)	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
development in, or use of adjacent parcels within its jurisdiction. This could be accomplished, for example, through the use of signs and barriers prohibiting dumping of trash, mountain bike use, equestrian use, off-road vehicle use and off-trail activities within adjacent habitat management areas. • In accordance with BRP Conservation Element Biological Resources Program B-2.1, for lands that are components of the designated oak woodland conservation (Fort Ord BRP Figure 4.4-1) area, these areas must be managed to maintain or enhance suitable habitat for the range of sensitive species known or expected to use those oak woodland environments. Management measures shall include, but not be limited to, maintenance of a large, contiguous block of oak woodland habitat, access control, erosion control, and non-native species eradication. Specific management measures shall be coordinated through the CRMP. • Appropriate barriers shall be installed along the development area boundaries adjacent to habitat management areas (see Figure 4.3-4) to discourage unregulated movement of people and pets into habitat management areas not identified as recreational areas; and to discourage unregulated movement of special-status species into developed areas. • In accordance with BRP Conservation Element Biological Resources Program C-2.5, paving shall be avoided within the dripline of preserved oak trees wherever possible. To minimize paving impacts, the surfaces around tree trunks shall be mulched, paving materials shall be used that are permeable to water, aeration vents shall be installed in impervious pavement, and root zone excavation shall be avoided. • In accordance with BRP Conservation Element Biological Resources Policy C-3, lighting of outdoor areas shall be minimized and carefully controlled to maintain habitat quality for wildlife in undeveloped natural lands. Street lighting shall be as unobtrusive as practicable adjacent to undeveloped natural lands. See Borderland requirements (Mitigation Measure BIO-5) regarding artificial lighting. • In accordance with BRP Conservation Element Biological Resources Program D-2.1, interpretive signs shall be placed in habitat management areas (see Figure 4.3-4) to describe the resources that are present, how they are important to the former Fort Ord, and ways in which these resources are or can be protected. • In accordance with BRP Conservation Element Biological Resources Program D-2.3, where development would be adjacent to habitat management areas, corridors, oak woodlands, or other reserved open space, Project Proponents shall prepare a Homeowner's Brochure, which describes the adjacent land areas' importance and provides recommendations for landscaping (use of natives) and wildfire protection, as well as measures for protecting wildlife and vegetation in the adjacent habitat management areas such as access and pet controls. • Where feasible, buffers shall be established inside development area boundaries adjacent to habitat management areas to reduce noise levels associated with urban uses. Buffers may be landscaped (using local native plants) or paved (parking areas). According to BRP Land Use Element Program B-2.5, when buffers adjacent to habitat management areas are required as a condition of Project approval, the buffer shall be designed in a manner consistent with HMP guidelines. Roads shall not be allowed within buffer areas adjacent to habitat management areas except for restricted access maintenance or emergency access roads. • In accordance with BRP Land Use Element Recreation/Open Space Land Use Policy E-1, recreation in environmentally sensitive areas (such as areas with rare, endangered, or threatened plant or animal communities) shall be limited to passive, low-intensity recreation dependent on the resource and compatible with its long-term protection. • In accordance with BRP Recreation and Open Space Element Recreation Policy C-2, all proposed recreational uses shall be reviewed for compatibility with the adopted HMP to ensure long-term protection of sensitive resources. Recreational uses would be prohibited if the FORA Board finds that such uses could compromise the ability to maintain and preserve an environmentally sensitive resource.				

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
Speed limit signs shall be installed to reduce travel speeds for the increased number of vehicles using the area roadways, with the goal of reducing roadkills.				
BIO-14 <u>Oak Oval Biological Assessment</u>. The future trail system in the Oak Oval Habitat Preservation Area shall be designed to avoid or reduce impacts to special-status species. The following measures shall be implemented to minimize the effects of constructing the future trail system on special-status species: The Project Proponent shall retain a qualified biologist to conduct a biological assessment to support the design and planning process for a future trail system through the Oak Oval Habitat Preservation Area to avoid potential impacts to special-status species. The assessment shall include conducting focused rare plant and reconnaissance-level wildlife surveys to determine occupied or potential special-status species habitats prior to trail development. The assessment shall include, but not be limited to, a description of the baseline habitat conditions, known or potential sensitive biological resources that may be impacted by the trail, potential impacts that may result, and any avoidance and minimization measures necessary. The assessment shall be provided to the California Department of Fish and Wildlife (DFW), U.S. Fish and Wildlife Service (FWS), governing jurisdiction, and Coordinated Resource Management and Planning Program (CRMP) members. If impacts to listed species requiring take authorization cannot be avoided, in compliance with the Federal Endangered Species Act (FESA) and California Endangered Species Act (CESA), and as required by the California Department of Fish and Wildlife (DFW) and/or U.S. Fish and Wildlife Service (FWS), one of two measures shall be required: - Incidental take permits shall be obtained prior to issuance of a grading permit for the future trail system in the Oak Oval Habitat Preservation Area. Permit requirements typically involve preparation and implementation of a mitigation plan and mitigating impacted habitat at a 3:1 ratio through preservation and/or restoration. The mitigation plan shall include, but is not limited to, identifying avoidance and minimization measures; a take assessment; compensatory mitigation lands and success criteria; and funding assurances; or, - Alternatively, if the listed species is a proposed Habitat Conservation Plan (HCP) species ground-disturbing activities may be delayed until the Fort Ord HCP is approved and base-wide federal and state incidental take permits are issued. If this alternative is chosen, project-specific, individual incidental take permits shall not be necessary; however, all applicable HCP requirements shall be implemented. The Project Proponent shall site and design the future cross-country equestrian course through the Oak Oval Habitat Preservation Area's eastern end to minimize vegetation removal and maintain wildlife movement corridors between habitat reserves. No buildings, grandstands, corrals, or parking areas shall be allowed in the Oak Oval Habitat Preservation Area. Install and maintain signage at trailheads, along designated trails, and trailheads of closed trails to clearly define where these activities to limit riding and equestrian activities to designated trails and courses in the Oak Oval Habitat Preservation Area. Implement an annual trail maintenance program to reduce the potential effects of hiker and equestrian use of the area on special-status species and natural communities. The program shall emphasize controlling erosion and the potential spread of non-native invasive plants. Trails may be closed and/or rerouted based on the monitoring program.	Prior to issuance of a grading permit within the Oak Oval Habitat Preservation Area: - Submit results of a biological assessment conducted by a qualified biologist to the permitting agency to support the design and planning process for the future trail system for review for conformance with the criteria contained in the mitigation measure. - Submit written verification that the biological assessment was provided to the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, governing jurisdiction, and Coordinated Resource Management and Planning Program (CRMP) members. - Submit trail system plans to the permitting agency for review for design conformance with the criteria contained in the mitigation measure Prior to issuance of grading permits for the future trail system in the Oak Oval Habitat Preservation Area: - Submit proof that incidental take permits for listed species have been obtained as required by the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, and this mitigation measure; or, - Delay ground disturbing activities until the Fort Ord Habitat Conservation Plan is approved and upon approval submit proof that development complies with all applicable HCP requirements. After construction: - Submit an annual trail maintenance	Applicant(s), Qualified Biologist	City of Seaside or County of Monterey (permitting agency)	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
	program to the permitting agency for review for conformance with the criteria contained in the mitigation measure.			
BIO-15 <u>Impacts to Riparian Habitat.</u> The Monterey Downs REC-2 Planning Area shall be designed to avoid impacts to riparian habitat and jurisdictional waters (if any) to the greatest extent feasible, while taking into account site and engineering constraints, including incorporating site design revisions to relocate Project features and/or reduce water quality impacts. If riparian impacts to riparian habitat and jurisdictional waters cannot be avoided, then the following measures shall be implemented to reduce identified impacts to less than significant: • Prior to issuance of a grading permit for the Monterey Downs REC-2 Planning Area, the Project Proponent shall comply with all applicable local, state, and federal regulations related to impacting riparian habitat, including local tree removal ordinances, Clean Water Act (CWA) Sections 401 and 404, and/or California Fish and Wildlife Code Section 1602. Specifically, the Project Proponent shall obtain a Section 401 permit under the federal CWA from the RWQCB and a Section 404 permit under the federal CWA from ACOE. All permit requirements shall be followed. • In support of the regulatory agency wetland permitting process described above, wetland delineation shall be conducted for the Monterey Downs REC-2 Planning Area to determine the presence and extent of jurisdictional wetlands and other waters of the U.S. The wetland delineation shall be conducted according to the protocols set forth by the ACOE. • Impacted riparian habitat shall be mitigated at a 1:1 replacement-to-loss ratio; the final mitigation amounts shall be determined during the regulatory agency permitting process through the preparation of a Habitat Mitigation and Monitoring Plan (HMMP) by a qualified biologist. It is expected that the riparian mitigation site can occur within the Monterey Downs REC-2 Planning Area or a different planning area within the Monterey Downs development area. The HMMP shall include but not limited to, a planting plan, success criteria, monitoring protocols to determine if success criteria have been met, adaptive management protocols in the event success criteria are not met, and funding assurances.	Prior to approval of final site plans for the REC-2 Planning Area: 1. Incorporate design features to avoid impacts to riparian habitat and jurisdictional waters in conformance with the criteria contained in the mitigation measure. Prior to the issuance of a grading permit for the REC-2 Planning Area: 1. Submit proof of compliance with applicable local, state, and federal regulations related to impacting riparian habitat to the City of Seaside including any required permits. 2. Submit results of a wetland delineation conducted according to the protocols set forth by the ACOE for the REC-2 Planning Area to the City of Seaside. 3. Submit a Habitat Mitigation and Monitoring Plan prepared by a qualified biologist to the City of Seaside for review for conformance with the criteria contained in the mitigation measure.	Applicant(s), Qualified Biologist	City of Seaside	
BIO-16 <u>Impacts to Coast Live Oak Woodland Habitat.</u> The direct loss of coast live oak woodland habitat cannot be avoided with implementation of the Project; therefore, the following measures shall be implemented to reduce identified impacts. Direct loss of coast live oak woodland habitat shall be mitigated at 1:1 compensation ratio. A. Coast Live Oak woodland habitat restoration shall account for a maximum of 50 percent of required mitigation. A Forest Management Plan/Oak Woodland Mitigation Plan shall be prepared by a qualified biologist. The oak woodland mitigation site(s) will occur within the Specific Plan area, the adjacent Monterey County Fort Ord Recreation Habitat Area (FORHA), or within other appropriate habitats on the former Fort Ord. If there are no areas within the former Fort Ord where the impacts can be feasibly and appropriately mitigated, the Project Proponent shall identify another acceptable location, preferably within Monterey County. The Forest Management Plan/Oak Woodland Mitigation Plan shall be consistent with the Fort Ord Habitat Management Plan (HMP), and will include but not be limited to, a planting plan, success criteria, monitoring protocols to determine if success criteria have been met, adaptive management protocols in the	Prior to issuance of grading permits for development projects affecting the oak woodland: 1. Submit a Forest Management Plan/Oak Woodland Mitigation Plan prepared by a qualified biologist to the City of Seaside for review for conformance with the criteria contained in the mitigation measure. 2. Submit evidence of creation of a conservation easement and/or participation in a mitigation bank or fee program to the City of Seaside for review	Applicant(s), Qualified Biologist/ Forester	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
event that success criteria are not met, and funding assurances. The Forest Management Plan/Oak Woodland Mitigation Plan shall be submitted to the City of Seaside for review and approval prior to issuance of the first grading permit. The portion of the plan applicable to each development project shall be implemented prior to the issuance each grading permit. B. In addition, the Project Proponent shall (1) create a conservation easement and/or (2) participate in a mitigation bank or fee program to conserve oak woodlands, which shall account for the remainder of the required mitigation: 1. The Project Proponent shall establish an oak woodland permanent conservation easement in the project vicinity approved by the City of Seaside. The location of this conservation easement shall be sited to preserve regional native biological diversity, such as adjacent to protected habitat areas. 2. Project Proponent shall purchase oak woodland mitigation credits at County- and/or City-approved off-site mitigation bank(s) (if available) to compensate for the direct loss of oak woodland habitat based on a 1:1 compensation ratio. If this is not feasible, the Project Proponent shall contribute funds to the State of California Oak Woodlands Conservation Fund. This Fund has been established under Section 1363 of the California Fish and Game Code for the purpose of purchasing oak woodland conservation easements per the guidelines of the Wildlife Conservation Board. Evidence of creation of a conservation easement and/or participation in a mitigation bank or fee program shall be submitted to the City of Seaside for review and approval prior to issuance of a grading permit for development projects affecting oak woodland habitat. The Forest Management Plan/Oak Woodland Mitigation Plan shall also include the measures identified in BIO-17 presented later in this section.	and approval for development projects affecting oak woodland habitat.			
BIO-17 <u>Implementation of a Forest Management Plan</u>. To minimize impacts to landmark oaks and in the spirit of compliance with PRC 21083.4, the Project Proponent shall submit a Forest Management Plan (FMP), to be prepared by a qualified forester/arborist, to the City of Seaside's Board of Architectural Review, prior to the issuance of any grading permit for Monterey Downs and CCVC. The FMP shall demonstrate that tree protection measures are incorporated, to the extent feasible, for both the pre-construction and construction phases of Monterey Downs and CCVC. The FMP shall be consistent with the City of Seaside's Tree and Subdivision Ordinances, and shall include measures to avoid tree removal and/or transplant trees whenever possible based on suitable mitigation ratios and planting areas. In addition, a program shall be established within the FMP for the Proponent to submit a special fee to FORA to fund tree replacement elsewhere within Fort Ord. The FMP, at a minimum, shall include the following features: Tree Protection Measures • To maximize tree retention and protection, a forester, arborist or other tree care professional shall be involved in review and development of final grading and construction plans wherever trees occur either at Project or grading margins. • Prior to commencement of any grading within 50 feet of retained trees, the contractor shall install protective fencing at the driplines of retained trees to create a Tree Protection Zone (TPZ) that shall not be entered for any reason unless approved by the project forester. The TPZ may extend within the driplines of retained trees where approved by the project forester in order to retain more trees. Grading may not commence until the project forester has inspected and approved the protective fencing installed by the contractor. • Prior to commencement of any grading within 50 feet of retained trees, the project forester shall identify retained trees needing significant pruning to protect them during grading operations. This protective	Prior to the issuance of grading permits: 1. Submit a Forest Management Plan prepared by a qualified forester/arborist to the City of Seaside's Board of Architectural Review for review for conformance with the criteria contained in the mitigation measure Prior to the issuance of occupancy permits: 2. Submit proof to the City of Seaside that the tree protection measures contained within the mitigation measure that are required before grading were implemented Following Project completion; 1. Two, five, and eight years following mitigation plantings, submit proof that a qualified arborist inspected replacement tree plantings. Any trees that have died	Applicant(s) and Qualified Forester/Arborist	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
pruning work shall be completed by a qualified tree contractor, in accordance with current arboricultural standards and practices prior to commencement of operations to balance canopy, provide necessary clearances, remove dead wood, and promote the tree's health. All pruning shall be completed or supervised by a certified arborist and adhere to the Best Management Practices for Pruning established by the International Society of Arboriculture. • No grading, construction, demolition, or other work shall occur within the TPZ. Any modifications must be approved and monitored by the consulting arborist. • No soil shall be removed or added within the dripline of a retained tree unless it is part of approved construction and approved by the project forester or arborist. • Under no circumstances shall fill be placed in contact with the base of a retained tree. Permanent wells shall be constructed as appropriate whenever necessary to prevent fill/trunk contact, never at a distance less than a foot from the trunk, and without causing significant root damage. • To avoid soil compaction from damaging the roots, heavy equipment shall not be allowed to drive over the root area. If deemed necessary and approved by the forester, equipment may drive across one side of the tree. To reduce soil compaction, wood chips shall be spread 6-12 inches deep to disperse the weight of equipment and plywood sheets shall be placed over the wood chips for added protection. Wood chips used during construction and elsewhere in the Project area shall be certified to be free of Sudden Oak Death fungus in compliance with California Department of Food and Agriculture regulations. • Roots exposed by excavation must be pruned and recovered as quickly as possible to promote callusing, closure and healthy re-growth. • Retained trees shall be watered periodically in accordance with species needs to promote tree health. Transplanted trees and their intended planting areas shall be pre-watered. Post planting watering shall be done as needed to assure establishment. • Supplemental irrigation shall be applied as determined by the consulting arborist. • If injury should occur to any tree during construction, it shall be evaluated as soon as feasible by the consulting arborist so that appropriate treatments can be applied. • No excess soil, chemicals, debris, equipment, or other materials shall be dumped or stored within the TPZ. • Any additional tree pruning needed for clearance during construction must be performed or supervised by an Arborist and not by construction personnel. • As trees withdraw water from the soil, expansive soils may shrink within the root area. Therefore, foundations, footings and pavements on expansive soils near trees shall be designed to withstand differential displacement. Replacement and Planting Measures • When the Project design is completed, an estimate of the appropriate number of replacement trees shall be made based on available planting space. These replacement trees (minimum five-gallon specimens) shall be planted along boundaries and within landscape areas. Planting density for replacement trees shall be accurately detailed to allow for some unavoidable mortality over time. • Transplants are encouraged and shall be credited on a 3:1 basis. Final replanting numbers may be modified by additional tree retention and should be made part of the final landscaping plan. • The Forest Management Plan shall include measures for establishing the required soil conditions prior to	or are in poor condition in the arborist's judgment shall be replaced and inspected on a two-, five- and eight-year schedule beginning with the next inspection on the original schedule, and with the same replacement location requirements.			

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
replanting. Tree replacement requirements shall be met promptly after the close of construction and based on a final tally of trees actually removed in the Project area rather than on the estimates contained in the FMP. • Final landscape planting shall require a post planting watering plan based on the time of planting and size of selected stock. • Two, five, and eight years following mitigation plantings, the Project Proponent shall arrange for a qualified arborist to inspect replacement tree plantings following Project completion. Any trees that have died or are in poor condition in the arborist's judgment shall be replaced and inspected on a two-, five- and eight-year schedule beginning with the next inspection on the original schedule, and with the same replacement location requirements.				
CR-1 <u>Archaeological Resources</u>. In order to ensure that Project-impacts to potentially unknown resources are avoided, developers shall be responsible for on-going monitoring of Project construction. Prior to issuance of any grading permit, the Project proponent shall provide the City of Seaside with documentation identifying construction personnel that will be responsible for on-site monitoring. If during the course of Project construction, archaeological resources or human remains are accidentally discovered during construction, work shall be halted within 165 feet of the find until a qualified professional archaeologist can evaluate it. Work shall not recommence until the Project archaeologist has submitted documentation to the City indicating that discovered resources have been adequately salvaged and no further resources have been identified within the area of disturbance.	Prior to the issuance of any grading permit: 1. Provide the City with documentation identifying construction personnel that will be responsible for on-site monitoring. During construction: 2. Maintain a log of daily construction activities, noting observances of suspected cultural resources discoveries and results of contact with qualified archeologist that demonstrates compliance with the criteria contained in the mitigation measure.	Applicant(s) and Responsible Contractor	City of Seaside	
CR-2 <u>Human Remains</u>. In order to ensure that the proposed Project does not impact buried human remains during Project construction, developers shall be responsible for on-going monitoring of Project construction. Prior to the issuance of any grading permit, developers shall provide the City of Seaside with documentation identifying construction personnel that will be responsible for on-site monitoring. If buried human remains are encountered during construction, work in that area must halt and the archaeologist and the coroner immediately notified. If the remains are determined to be Native American, then the Native American Heritage Commission must be notified within 24 hours as required by Public Resources Code 5097. The Native American Heritage Commission will notify designated Most Likely Descendants who will provide recommendations for the treatment of the remains within 24 hours. The Native American Heritage Commission will mediate any disputes regarding treatment of remains. Work shall not recommence until the Project archaeologist, coroner, and Native American Heritage Commission, submit documentation to the City indicating that buried human remains have been adequately salvaged and no further remains have been identified within the area of disturbance.	Prior to the issuance of any grading permit: 1. Provide the City with documentation identifying construction personnel that will be responsible for on-site monitoring. During construction: 2. Maintain a log of daily construction activities, noting observances of suspected human remains discoveries and results of contact with the coroner or Native American Heritage Commission that demonstrates compliance with the criteria contained in the mitigation measure.	Applicant(s) and Responsible Contractor	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
GEO-1 <u>Preparation of Design-Level Geotechnical Investigations</u>. Applicants of development associated with the Monterey Downs, Monterey Horse Park, and Seaside Corporation Yard shall prepare design-level geotechnical investigations in accordance with the California Building Code and Seaside Municipal Code Chapter 15.04, and recommendations contained in the Phase I Geotechnical Report and Geologic Hazards Assessment (Pacific Crest Engineering, March 18, 2014). The geotechnical investigations shall identify design requirements associated with, but not limited to, earthwork, structure foundations, seismic considerations, slabs-on-grade, retaining walls, pavement recommendations, etc. The geotechnical investigations shall be subject to review and approval by the City Engineer, prior to approval of final improvement plans for the Monterey Downs subdivision, and prior to issuance of use permits for the Monterey Horse Park and Seaside Corporation Yard. Prior to final inspection, developers shall provide certification from a qualified professional that development has been constructed in accordance with design-level geotechnical reports.	Prior to approval of final improvement plans for all projects. 1. Submit a design-level geotechnical investigation to the City engineer for review for conformance with the criteria contained in the mitigation measure. Prior issuance of occupancy permits: 1. Submit certification from a qualified professional that development has been constructed in accordance with design-level geotechnical reports.	Applicant(s)	City of Seaside	
GEO-2 <u>Preparation of a Design-Level Geotechnical Investigation - CCVC</u>. Applicants of development associated with the Central Coast Veterans Cemetery shall prepare a design-level geotechnical report investigation prepared in accordance with the CBC California Building Code and Monterey County Code, and recommendations contained in the Geotechnical Investigation and Percolation Testing, Proposed California Central Coast Veterans Cemetery Site, Monterey County, California (Kleinfelder, September 17, 2010). The geotechnical investigation shall identify design requirements associated with, but not limited to, earthwork, structure foundations, seismic considerations, slabs-on-grade, and pavement recommendations. Prior to final approval, the County of Monterey Department of Veterans Affairs shall provide certification from a qualified professional that all development has been constructed in accordance with design-level geotechnical reports.	Prior to approval of final improvement plans for the Central Coast Veterans Cemetery: 1. Submit a design-level geotechnical investigation to the City engineer for review for conformance with the criteria contained in the mitigation measure. Prior issuance of occupancy permits: 1. Submit certification from a qualified professional that development has been constructed in accordance with design-level geotechnical reports	Applicants of development associated with the Central Coast Veterans Cemetery, County of Monterey Department of Veterans Affairs	Permitting Agency (State or City of Seaside)	
GHG-1 <u>Project Design Features to Reduce GHG Emissions</u>. The proposed Project shall include, but not be limited to, the following list of Project design features, which shall be incorporated into the Project to ensure consistency with adopted statewide plans and programs. The developers shall demonstrate compliance with the following measures as noted in each bullet point, prior to the issuance of building or occupancy permits, as applicable. Transportation • The Project shall provide a pedestrian access network (e.g., sidewalks, pathways, pedestrian amenities, etc.) that internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the Project site. The Project shall minimize barriers to pedestrian access and interconnectivity (to be included in final plans and specifications, and reviewed and approved by the City Planning Department prior to issuance of building permits). • Bicycle lanes and walking paths shall be incorporated into the street system to provide alternative circulation routes to reach logical points of destinations such as schools, parks, and retail areas. The Project shall include at least one (1) mile of bicycle lanes per square mile of development (to be included in final plans and specifications, and reviewed and approved by the City Planning Department prior to	Prior to issuance of use permits and/or final improvement plans: 1. Demonstrate incorporation of design features contained in the mitigation measure to site plans to ensure consistency with adopted statewide plans and programs.	Applicant(s)	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
issuance of building permits). - Proposed commercial uses shall implement a voluntary trip reduction program, for which all employees shall be eligible to participate. The voluntary trip reduction program may include carpooling encouragement, ride-matching assistance, preferential carpooling parking, flexible work schedules for carpoolers, vanpool assistance, bicycle end-trip facilities (parking, showers and lockers) (prior to issuance of occupancy permit). Under a voluntary trip reduction program, monitoring and reporting is not required, and at least a one (1) percent reduction in trips shall be achieved. This measure is not applicable to residential uses. - Proposed commercial uses shall provide a voluntary ride sharing program, for which all employees shall be eligible to participate (prior to issuance of occupancy permit). The voluntary ride sharing program could be achieved through a multi-faceted approach, such as designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles, and/or providing a web site or message board for coordinating rides. The ride sharing program shall achieve at least a three (3) percent reduction in trips. This measure is not applicable to residential uses. - The Project includes a transit stop in the center of the project on Monterey Downs Road south of Eastside Parkway. If Monterey-Salinas Transit is unable to fund a transit line at this location, the City, the applicant, and MST shall enter into an agreement for the applicant to partially fund a three year pilot transit line, to be operated by MST, to service the Project area. The agreement shall be a requirement of the DD&A between the City and the applicant. Funding and timing will be determined in the DD&A. Energy Efficiency - Install Energy Star rated appliances (to be included in final plans and specifications, and reviewed and approved by the City Planning Department prior to issuance of building permits). - Install windows with dual pane low emissivity glass (to be included in final plans and specifications, and reviewed and approved by the City Planning Department prior to issuance of building permits). - Install light-emitting diode (LED) external lighting to reduce the site's electricity construction, where appropriate (to be included in final plans and specifications, and reviewed and approved by the City Planning Department prior to issuance of building permits). Water Conservation and Efficiency - Install low-flow faucets and toilets that reduce water consumption by an average of at least 14 percent (to be included in final plans and specifications, and reviewed and approved by the City Planning Department prior to issuance of building permits). Solid Waste - Provide interior and exterior storage areas for recyclables and adequate recycling containers located in public areas (prior to issuance of occupancy permit).				
HAZ-1 <u>Hazards and Hazardous Materials Contingency Plan for Construction Activities</u>. Prior to issuance of a grading permit, the City of Seaside Resource Management Services Department shall review and approve a contingency plan (prepared by the contractor) that addresses the potential to encounter on-site unknown hazards or hazardous materials during construction activities. The plan shall indicate that in the event of discovery of any suspect munitions and explosives of concern (MEC) (including unexploded ordnance (UXO)) in transferred properties, local law enforcement shall be contacted immediately. If MEC is suspected, local law enforcement shall request response by qualified personnel, such as the Department of Defense (DoD) Explosive Ordnance Detachment (EOD) unit. The Fort Ord Base Realignment and	Prior to issuance of any grading permits: Submit a Hazards and Hazardous Materials Contingency Plan for Construction Activities prepared by the contractor to the City of Seaside Resources Management Agency for review for conformance with the criteria	Applicant(s)	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
Closure (BRAC) Office shall be contacted. In the event of discovery of any suspect MEC (including UXO) in properties subject to ESCA, the notification shall be provided to FORA.	contained in the mitigation measure.			
HAZ-2 <u>Munitions and Explosives Safety Briefing</u> . Construction supervisors and crews shall attend a Fort Ord Reuse Authority sponsored munitions and explosives safety briefing prior to commencement of construction. This briefing shall identify the variety of munitions and explosives that are known to exist on the former Fort Ord and the actions to be taken if a suspicious item is discovered. This requirement for briefing shall be included in construction documents, approved by the City of Seaside Engineer.	Prior to issuance of grading permits: 1. Include in construction documents the requirement that all construction supervisors and crews attended a Fort Ord Reuse Authority sponsored munitions and explosive safety briefing. 2. Provide documentation to the City Engineer that the safety briefings have been completed to the satisfaction of FORA.	Applicant(s)	City of Seaside	
HAZ-3 <u>Remediation Activities</u> . With submittal of a grading permit application, developers shall submit evidence that the development area has been cleaned up pursuant to the measures outlined below. The City shall not issue a grading permit until such evidence is submitted. • For portions of the Project area located within the Parker Flats and County North MRAs - pursuant to the Environmental Services Cooperative Agreement (ESCA). • For the middle portion within the ESCA Parker Flats MRA Phase II – pursuant to the FORA’s pending remedial investigation/ feasibility study for the middle portion (ESCA Parker Flats MRA Phase II), which will select a remedy for this portion. Once a remedy is selected for this portion, FORA will implement the selected remedy including developing a remedial design/remedial action work plan under the ESCA and with the supervision of the U.S. Environmental Protection Agency (EPA), in consultation with the California Department of Toxic Substances Control (DTSC).	Prior to issuance of any grading permit: 1. Provide evidence that the development area had been cleaned up pursuant to the criteria contained in the mitigation measure.	Applicant(s)	City of Seaside	
HAZ-4 <u>Firewise Plan</u> . Prior to issuance of grading permits for any property within the Firewise Overlay (FW-O), applicants shall prepare a Firewise Plan for review and approval by the Seaside Planning Division and Seaside Fire Department. The Firewise Plan shall prohibit flammable structures within the FW-O (i.e., 200 feet of wildlands) and address the location of structures, construction materials, fuel breaks, and emergency ingress and egress.	Prior to issuance of any grading permit for any property within the Firewise Overlay (FW-O): 1. Submit a Firewise Plan to the Seaside Planning Division and Seaside Fire Department for review for conformance with the criteria contained within the mitigation measure.	Applicant(s)	City of Seaside	
HYD-1 <u>Storm Water Control Plan</u> . Applicants for development within the Project area (e.g. subdivisions and use permits) shall prepare and submit a Stormwater Control Plan in compliance with the Central Coast Regional Water Quality Control Board Order R3-2013-0032 with their permit application. The Stormwater Control Plan shall demonstrate that the development incorporates site design characteristics, landscape features, and engineered facilities, in order to accomplish the following: minimize imperviousness; detain and treat, and/or retain, the specified amounts of runoff; slow runoff rates; and reduce pollutants in post-development runoff. Detailed requirements for the plan are included in the Stormwater Technical Guide for Low Impact Development – Compliance with Stormwater Post-Construction Requirements for the Monterey Regional Stormwater Management Program, which may be obtained by contacting the City of Seaside Engineer. The Stormwater Control Plan shall be subject to	Prior to issuance of building permit 1. Submit a Stormwater Control Plan to the City of Seaside Engineer for review for conformance with the criteria contained in the mitigation measure Prior to issuance of occupancy permits: 2. Submit a Stormwater Operations and	Applicant(s)	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
review and approval by the City Engineer, prior to approval of the development permit. As described in Order R3-2013-0032, Attachment 1, Section E, Operation and Maintenance for Structural SCMs, the Applicant shall prepare and submit a Stormwater Operations and Maintenance (O&M) Plan and Maintenance Agreements for all proposed structural stormwater control measures (SCM). The O&M Plan and Maintenance Agreements shall clearly establish responsibility for all structural water quality treatment, runoff retention, and/or peak management controls, to the satisfaction of the City of Seaside prior to occupancy. On or before October 15 of every year, the Applicant shall submit to the City of Seaside City Engineer an annual report outlining the operations and maintenance of structural SCMs. At a minimum, the annual report shall include the following: a) SCM identification number and location/address b) Type of SCM c) Completion date of the following Project stages, where applicable: i) Construction ii) Field verification of SCM iii) Final Project approval/occupancy iv) O&M plan approval by City of Seaside d) Location (physical and/or electronic) where the O&M Plan is available to view e) Party responsible for O&M f) Source of funding for O&M g) Verification that responsible party has maintained the SCM as outlined in the O&M Plan, or, indication that a self-inspection program is in place to verify that the SCM continues to function as designed and to repair and/or replace the SCM if it is not functioning as designed h) Any problems identified during inspections including any vector or nuisance problems. i) Signed certification that the Applicant has performed, or has caused to perform, the operational and maintenance requirements as outlined in the Stormwater O&M Plan and/or Maintenance Agreements.	Maintenance (O&M) Plan and Maintenance Agreements to the City of Seaside Engineer for all proposed structural stormwater control measures (SCM) that clearly establish responsibility for all structural water quality treatment, runoff retention, and/or peak management controls After occupancy: 1. Submit annual report outlining the operations and maintenance of structural SCMs to the City of Seaside Engineer on or before October 15 of each year for review for conformance with the criteria contained in the mitigation measure			
HYD-2 <u>Equestrian Management Plan(s)</u>. Development applications for commercial equestrian facilities shall prepare an Equestrian Management Plan (EMP) for review and approval by the City Engineer and the RWQCB. The EMP shall describe the proper installation and maintenance of the site design and source control and treatment control instilling BMP's that have proven to be successful. NPDES standards shall also be incorporated where appropriate	Prior to issuance of a use permit for equestrian facilities: 1. Submit an Equestrian Management Plan to the City of Seaside Engineer for review for conformance with the criteria contained in the mitigation measure. 2. Submit written certification of approval of the Equestrian Management Plan from the Regional Water Quality Control Board.	Applicant(s)	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
	3. Demonstrate incorporation of design features contained within the approved Equestrian Management Plan.			
HYD-3 <u>Drainage Basins</u> . Prior to Grading Permit issuance for any development draining into basin 17E (R-1 Planning Area), additional design details to add freeboard shall be determined to the satisfaction of the City Engineer. Options to be considered include, but are not limited, to the following: directing more flow to 15A; increasing the underground storage; or directing flow to basins along Parker Flats. A minimum of one-foot of freeboard shall be incorporated into the final design of basin 17E. During final design and prior to grading permit issuance for any development draining into Basin 174 (R-1 Planning Area), additional design details to add freeboard shall be determined to the satisfaction of the City Engineer.	Prior to approval of final improvement plans for development within the R-1 Planning Area: 1. Demonstrate that site plans contain additional design details to add freeboard to the satisfaction of the City Engineer.	Applicant(s) for R-1 Planning Area	City of Seaside	
HYD-4 <u>Site Specific Geotechnical Testing</u> . During final design and prior to Grading Permit issuance, site specific geotechnical testing shall be conducted to confirm that the infiltration rates assumed in the Monterey Downs Preliminary Hydrology Study (Diamond West Incorporated, June 18, 2014) remain applicable to each area. The final infiltration rates shall be calculated using appropriate standard engineering practices to adjust from the measured rate and the design rate. The infiltration rates shall comply with the guidelines and standards specified in the FORA Storm Water Master Plan (Creegan and D'Angelo, March 2005), including the infiltration rate of 12 inches per hour, in order to ensure long-term performance, to the satisfaction of the City of Seaside Public Works Director.	Prior to approval of final improvement plans: 1. Submit verification to the City of Seaside Public Works Department that site specific geotechnical testing has been conducted and that infiltration rates comply with the standards contained within the mitigation measure.	Applicant(s)	Seaside	
HYD-5 <u>Stormwater Basin Maintenance</u> . Future maintenance programs and CC&R documents shall include sections regarding maintenance of the basins. Removal of silt and debris shall be conducted at a frequency to be determined by the City Engineer, in order to retain the level of infiltration expected.	Prior to approval of final maps for residential subdivisions: 1. Ensure CC&R documents comply with this mitigation measure. After occupancy: 1. Submit maintenance program and CC&R documents to the City Engineer that demonstrate maintenance of infiltration levels in conformance with the mitigation measure	Applicant(s)	City of Seaside	
NOI-1 <u>Construction Noise Reduction Measures</u> . Prior to the issuance of demolition permits or ground disturbing activities (whichever occurs first), the Contractor shall demonstrate to the satisfaction of the City of Seaside Planning Division that the Project complies with the following: • Construction contracts specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state required noise attenuation devices. • Property occupants located in a three hundred foot radius from the Project boundary shall be sent a notice, at least 15 days prior to commencement of construction of each phase, regarding the Project's construction schedule. A sign, legible at a distance of 50 feet shall also be posted at the Project construction site. All notices and signs shall be reviewed and approved by the City of Seaside Planning Division prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact	Prior to the issuance of demolitions and grading permits: 1. Include construction noise reduction measures in plans for review by the City of Seaside Planning Division for conformance with the criteria contained in the mitigation measure.	Applicant(s)	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
name and a telephone number where residents can inquire about the construction process and register complaints. • The Contractor shall provide evidence that a construction staff member will be designated as a Noise Disturbance Coordinator and will be present on-site during construction activities. The Noise Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Noise Disturbance Coordinator shall notify the City within 24-hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Planning Division. All notices that are sent to residential units immediately surrounding the construction site and all signs posted at the construction site shall include the contact name and the telephone number for the Noise Disturbance Coordinator. • During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers. • Construction activities shall occur between the hours of 7:00 AM and 7:00 PM daily (except Saturday, Sunday, and holidays when the construction hours are between 9:00 AM and 5:00 PM) pursuant to SMC Section 9.12.030 and Section 17.30.060.				
NOI-2 <u>Sports Arena Noise Management Program.</u> Prior to issuance of building permits for the Monterey Downs Equestrian Training Track and Sports Arena (REC-2 Planning Area), a Noise Management Program shall be prepared to provide sufficient noise attenuation measures to meet the 65 dBA standard in the Fort Ord Reuse Plan, and Seaside Municipal Code Sections 9.12 (Noise Regulations) and 17.30.060 (Noise Standards). The Noise Management Program shall include, but is not limited to, specifications for a monitoring system and sound wall barrier or berm, and noise-level limits on the use of a public address/announcement systems. The Noise Management Program shall be submitted for review and approval to the City of Seaside Building and Safety and Planning Divisions of the Resource Management Services Department.	Prior to issuance of building permits for the Monterey Downs Equestrian Training Track and Sports Arena (REC-2 Planning Area): 1. Submit a Noise Management Program to the City of Seaside Building and Safety Planning Divisions of the Resource Management Services Department for review for conformance with the criteria contained in the mitigation measure	Applicant(s) for REC-2 Planning Area	City of Seaside	
NOI-3: <u>Swim Center Noise Management.</u> Prior to issuance of building permits for the C-1 Planning Area swim center, the following multi-part mitigation program shall be specified in applicable Project plans and specifications: • All swim events occurring at the pool shall be restricted to 7:00 AM to 10:00 PM, Monday through Sunday and the sound levels shall be reduced in compliance with the Fort Ord Reuse Plan and City of Seaside Noise Ordinance regulations. • Pool mechanical equipment, such as pool pumps and filters, shall be fully enclosed. • To ensure no additional impacts to nearby residential uses, the permissible hours of operation of the PA system shall be restricted to 7:00 AM to 10:00 PM. • The PA system speakers shall be located and shielded to directionally focus the emitted sound away from the R-2 Planning Area residential uses located southwest of the Project site (i.e., they should be directionally focused to the north and/or downward to the center of the pool). • Noise complaints shall be addressed within 30 minutes of receipt. Swim center staff shall be responsible for responding to any complaints about the center's noise levels. Additionally, when a complaint is received, the swim center staff shall notify the City within 24 hours of the complaint. The swim center	Prior to the issuance of building permits for the swim center: 1. Submit final plans that reflect the multi-part mitigation program contained in the mitigation measure to the City of Seaside for review and approval.	Applicant for Swim Center	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
staff shall determine the cause of the noise complaint and implement reasonable measures to resolve the complaint, as deemed acceptable by the Seaside Planning Division. A written record shall be kept on file at the swim center for 12-month period.				
FP-1 <u>Fire Protection Services Plan</u>. Prior to issuance of the first grading permit, Project Applicant or first developer of the Project site shall prepare a Fire Protection Services Plan, which shall be submitted for review and approval to the City of Seaside Fire Chief and City Manager. Said Plan shall: • Include, but not limited to, emergency response times to each Project component from all stations available to serve the site. • Detail how much of the Project can be served by existing fire facilities, as well as through mutual and automatic aid agreements with other fire service providers (as discussed herein), and when, if necessary dedication of an onsite fire station site and construction of an onsite fire station (or other location) would be required.	Prior to issuance of the first grading permit: 1. Submit a Fire Protection Services Plan to the City of Seaside for review for conformance with the criteria contained in the mitigation measure.	Applicant	City of Seaside	
FP-2 <u>Disposition and Development Agreement</u>. Prior to issuance of the first grading permit, the City of Seaside and Project Applicant shall enter into a Disposition and Development Agreement (DDA) with the City that will address the fees necessary to cover costs associated with the provision of fire protection services and the necessary staffing, equipment, and facilities.	Prior to the issuance of the first grading permit: 1. Enter into a Disposition and Development Agreement with the City of Seaside that will address necessary fees for costs associated with fire protection services.	Applicant	City of Seaside	
PP-1 <u>Police Protection Services Plan</u>. Prior to issuance of the first grading permit, the Project Applicant or first developer of the Project site shall prepare a Police Protection Services Plan, which shall be submitted for review and approval to the City of Seaside Police Chief and City Manager. Said Plan shall: • Include, but not be limited to, emergency response times to each Project component. • Detail how much of the Project can be served by the existing police facilities and when dedication of an onsite police sub-station site and construction on an onsite police sub-station would be required. • If the Police Protection Services Plan determines that dedication on an onsite police sub-station site is required, the Applicant shall dedicate said police sub-station site to the City of Seaside at no cost to the City.	Prior to the issuance of the first grading permit: 1. Submit a Police Protection Services Plan to the City of Seaside Police Chief and City Manager for review for conformance with the criteria contained within the mitigation measure.	Applicant	City of Seaside	
PP-2 <u>Disposition and Development Agreement</u>. Prior to issuance of the first grading permit, the Project Applicant shall to enter into a Disposition and Development Agreement with the City that will address the fees necessary to cover costs associated with the provision of police protection services and the necessary staffing, equipment, and facilities.	Prior to the issuance of the first grading permit: 1. Enter into a Disposition and Development Agreement with the City of Seaside that will address necessary fees for costs associated with police protection services	Applicant	City of Seaside	
TRA-1 <u>Construction Traffic Mitigation Plan(s)</u>. Prior to the issuance of any grading permit or any permit that authorizes construction activities within the Specific Plan area or at offsite locations for improvements associated with the Specific Plan, the Project Applicant(s) shall prepare a Construction Traffic Mitigation Plan(s) for review and approval by the City of Seaside as part of the permit application.	Prior to the issuance of the first grading permit: 1. Submit a Construction Traffic	Applicant	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
The Construction Traffic Mitigation Plan(s) shall include measures to minimize the construction traffic volumes entering the roadway system (including local roads) during AM and PM peak hours. The Construction Traffic Mitigation Plan(s) shall prohibit construction traffic from traversing CSUMB. The Construction Traffic Mitigation Plan(s) shall also include measures to minimize the number of truck trips on Normandy Road and route heavy vehicle traffic to driveways on Gigling Road and at Monterey Downs Road to access the site during the Project's construction phase to the extent feasible. At a minimum, the Construction Traffic Mitigation Plan(s) shall include the following implementation measures: • Construction truck routes shall be prepared to designate principal haul routes for trucks delivering materials to and from the construction site. • Should a temporary road and/or lane closure be necessary during construction, the Project Applicant shall provide traffic control activities and personnel, as necessary, to minimize traffic impacts. This may include detour signage, cones, construction area signage, flagmen, and other measures as required for safe traffic handling in the construction zone. • The Project Applicant shall keep a minimum of one lane in each direction free from encumbrances at all times on perimeter roads accessing the Project site. In the event a full road closure is required, the contractor shall coordinate with the City of Seaside and other affected jurisdictions (i.e., City of Marina, CSUMB, FORA, Caltrans, Monterey-Salinas Transit, and/or County of Monterey) to designate proper detour routes and signage to appropriate proper access routes.	Mitigation Plan for review by the City of Seaside for conformance with the criteria contained in this mitigation measure			
TRA-2 <u>Payment of FORA Impact Fees.</u> Prior to issuance of any Building Permit, the Project Applicant shall pay the appropriate Fort Ord Reuse Authority (FORA) impact fees, in order to fund their proportionate fair share of the intersection improvements described below. To the extent specific improvements are not covered in the applicable CIP program, the developer shall fund the improvement, and the improvement shall be implemented prior to issuance of an occupancy permit, or earlier as may be determined necessary by the City Engineer, based upon traffic conditions at that time. a. Intersection #1: 8th Avenue and Gigling Road. Install traffic signal or roundabout. Widen and restripe eastbound approach and westbound approaches. Eastbound approach would include an exclusive left-turn lane and a through lane. Westbound approach would include a through lane and an exclusive right-turn lane. All improvements to this intersection shall be conducted in consultation with CSUMB. b. Intersection #2: 7th Avenue and Gigling Road. Install traffic signal or roundabout. All improvements to this intersection shall be conducted in consultation with CSUMB. c. Intersection #5: Malmedy Road and Gigling Road. Install traffic signal. All improvements to this intersection shall be conducted in consultation with CSUMB. d. Intersection #15: 8th Avenue and Inter-Garrison Road. Install traffic signal or roundabout. e. Intersection #36: General Jim Moore Boulevard and Coe Avenue. Install traffic signal.	Prior to issuance of all building permits: 1. Submit proof of payment of the appropriate Fort Ord Reuse Authority impact fees. Prior to issuance of an occupancy permit: 1. To the extent specific improvements are not covered in the applicable CIP program, the developer shall fund the improvement, and the improvement shall be implemented.	Applicant(s)	City of Seaside	
TRA-3 <u>Construct a traffic signal or roundabout at Intersection #8:</u> Colonel Durham Street and 7th Avenue. The Project Applicant shall submit payment of a fair share of the improvements described below prior to issuance of building permits. In terms of when the improvements would need to be constructed, as part of the application process for the site-specific development under the Specific Plan, the applicants for each development pursuant to the Specific Plan shall submit a Trip Generation Study. This information shall be utilized by the City to determine whether the relevant trip generation thresholds are met, taking into account past Project trip generation studies and the running cumulative total. The City may also take actual traffic counts and operations at the mitigation locations into account (funded by the applicant), in determining when specific improvements need to be constructed. When the Project's development application is projected to generate 2,487 or more PM peak hour trips (97 percent of total project trips)	Prior to approval of final improvement plans for each development: 1. Submit a Trip Generation Study Prior to the issuance of building permits: 1. Enter into a development fee and reimbursement agreement with the City	Applicant(s)	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
cumulatively at Intersection #8, which shall be verified by the Seaside City Engineer at the time of Building Permit application, this improvement shall be constructed. All improvements to this intersection shall be subject to review and approval by CSUMB.	of Seaside to provide the Project share of funding for the improvement.			
TRA-4 <u>Construct a traffic signal or roundabout at Intersection #22: Imjin Road and 8th Street.</u> The Project Applicant shall submit payment of a fair share of the improvements described below prior to issuance of building permits. In terms of when the improvements would need to be constructed, as part of the application process for the site-specific development under the Specific Plan, the applicants for each development pursuant to the Specific Plan shall submit a Trip Generation Study. This information shall be utilized by the City to determine whether the relevant trip generation thresholds are met, taking into account past Project trip generation studies and the running cumulative total. The City may also take actual traffic counts and operations at the mitigation locations into account (funded by the applicant), in determining when specific improvements need to be constructed. When the Project's development application is projected to generate 1,552 or more PM peak hour trips (55 percent of total project trips) at Intersection #22, this improvement shall be constructed. All improvements to this intersection shall be subject to the review and approval by CSUMB. This intersection improvement is contained in the City of Marina CIP. As stated above, the Project Applicant shall pay their fair share of mitigation costs. If the City of Marina does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the mitigation measures to reduce the impact.	Prior to approval of final improvement plans for each development: 1. Submit a Trip Generation Study. Prior to the issuance of building permits: 1. Enter into a development fee and reimbursement agreement to provide the Project share of funding for the improvement. 2. If the City of Marina will not accept the fair share of funding, the applicant is relieved from paying fair share.	Applicant(s)	City of Seaside	
TRA-6 <u>Install a traffic signal at Intersection #50: SR-1 Southbound Ramps and Reservation Road.</u> The Project applicant shall pay its fair share of the cost for this improvement at the time of the initial Building Permit application. This intersection improvement is contained in the City of Marina CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs. If the City of Marina does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the mitigation measures to reduce the impact.	Prior to the issuance of building permits: 1. Enter into a development fee and reimbursement agreement to provide the Project share of funding for the improvement. 2. If the City of Marina will not accept the fair share of funding, the applicant is relieved from paying fair share.	Applicant(s)	City of Seaside	
TRA-7 <u>Payment of FORA Impact Fee to Widen Gigling Road to a 4-Lane Arterial between General Jim Moore and Monterey Downs Road.</u> The impact is projected to occur when the Project generates 10,500 daily trips (36 percent of total Project trips) along Gigling Road between General Jim Moore and Monterey Downs Road. However, FORA impact fees are required to be paid prior to issuance of all building permits. Therefore, the Project Applicant shall pay the appropriate FORA impact fee, in order to fund their proportionate fair share of this improvement.	Prior to the issuance of building permits: 1. Submit proof of payment of Fort Ord Reuse Authority Impact Fee to fund the fair share of this improvement.	Applicant(s)	City of Seaside	
TRA-8 <u>Preparation of an Annual Special Events Traffic and Emergency Services Management Plan.</u> Prior to the issuance of a special use permit, the permit applicant shall prepare a special events traffic and emergency services management plan (Events Management Plan) for review and approval by the City of Seaside. The Events Management Plan shall identify the proposed dates for the special events, an event routing plan in ingress and egress, an off-site parking management plan (if necessary), and plans for the coordinated support for emergency services including police, fire, and emergency services. The traffic management plan shall require traffic control measures to address potential congestion. These measures may include, but are not limited to, lane control features such as cones,	Prior to the issuance of a special use permit: 1. Submit a special events traffic and emergency services management plan to the City of Seaside for review for conformance with the criteria contained in the mitigation measure.	Applicant(s)	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
temporary signage, remote park and ride parking lots, use of flagmen to direct traffic, involvement on the Sheriff's Department to direct traffic, management through event timing restrictions, or other measures including but not limited to, signs and/or monitors to prohibit special event parking in the trailhead parking lots. These measures must be deemed feasible and adequate by the City of Seaside Public Works and Emergency Services Departments. The Events Management Plan shall be prepared in coordination with other relevant state and local agencies including the California Highway Patrol, the Monterey County Office of Emergency Services, the Bureau of Land Management, CSUMB, Monterey-Salinas Transit, and the City of Marina.				
TRA-9 <u>Intersection #36: Coe Avenue and General Jim Moore Boulevard</u>. Widen and restripe the intersection to include one northbound left turn lane, two northbound through lanes, one eastbound left turn lane, one eastbound shared through-right right lane, one eastbound right turn lane, two westbound left turn lanes, and one westbound shared through-right turn lane. Prior to issuance of building permits, the Project Applicant shall install or fund the improvements at the intersection. The Project Applicant shall enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the Project Applicant's fair share. (Fair share costs for cumulative impacts based on estimated 2013 Project costs to be adjusted annually on July 1 by the Engineering Record's Construction Cost Index).	Prior to the issuance of building permits: 1. Install improvement or enter into a development fee and reimbursement agreement with the City of Seaside to provide the Project share of funding for the improvement	Applicant(s)	City of Seaside	
TRA-11 <u>Construct a traffic signal or roundabout at Intersection #29: Inter-Garrison Road and Abrams Drive</u>. This intersection improvement is not included in the City of Marina CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs. The Project Applicant shall enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the Project Applicant's fair share. (Fair share costs for cumulative impacts based on estimated 2013 Project costs to be adjusted annually on July 1 by the Engineering Record's Construction Cost Index). If the City of Marina does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the mitigation measures to reduce the impact.	Prior to the issuance of building permits: 1. Enter into a development fee and reimbursement agreement to provide the Project share of funding for the improvement 2. If the City of Marina will not accept the fair share of funding, the applicant is relieved from paying fair share	Applicant(s)	City of Seaside	
TRA-12 <u>Intersection #32: Reservation Road and Inter-Garrison Road</u>. Widen and restripe the intersection to include one northbound left lane turn lane and two northbound right turn lanes, two westbound left turn lanes, and two westbound through lanes. This intersection improvement is not included in the County of Monterey CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs. The Project Applicant shall enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the Project Applicant's fair share. (Fair share costs for cumulative impacts based on estimated 2013 Project costs to be adjusted annually on July 1 by the Engineering Record's Construction Cost Index). If the County of Monterey does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the mitigation measures to reduce the impact.	Prior to the issuance of building permits: 1. Enter into a development fee and reimbursement agreement with the County of Monterey to provide the Project share of funding for the improvement 2. If the County of Monterey will not accept the fair share of funding, the applicant is relieved from paying fair share	Applicant(s)	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
TRA-13 <u>Intersection #45: Reservation Road and Davis Road.</u> Add a through lane on the westbound Reservation Road approach. Add additional left turn lane on the eastbound Reservation Road approach. Add additional right turn lane and implement “free” right turns for vehicles turning right into westbound Reservation Road from southbound Davis Road. This intersection improvement is not included in the County of Monterey CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs. The Project Applicant shall enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the Project Applicant’s fair share. (Fair share costs for cumulative impacts based on estimated 2013 Project costs to be adjusted annually on July 1 by the Engineering Record’s Construction Cost Index). If the County of Monterey does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the mitigation measures to reduce the impact.	Prior to the issuance of building permits: 1. Enter into a development fee and reimbursement agreement with the County of Monterey to provide the Project share of funding for the improvement 2. If the County of Monterey will not accept the fair share of funding, the applicant is relieved from paying fair share	Applicant(s)	City of Seaside	
TRA-14 <u>Intersection #48: Blanco Road and Davis Road.</u> Add a left turn lane, through lane, and right turn lane on the southbound David Road approach. Add two through lanes on the northbound Davis Road approach, so that it has three through lanes and one right turn only lane (instead of one through lane and one shared through-right turn lane). Add two through lanes on the eastbound Blanco Road approach so that it has three through lanes and one right turn only lane (instead of one through lane and one shared through-right lane). Add a left turn lane, a through lane, and a right turn lane on the westbound Blanco Road approach, utilize “overlap” phasing for right turns from westbound Blanco Road approach and southbound Davis Road approach. This intersection improvement is not included in the County of Monterey CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs. The Project Applicant shall enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the Project Applicant’s fair share. (Fair share costs for cumulative impacts based on estimated 2013 Project costs to be adjusted annually on July 1 by the Engineering Record’s Construction Cost Index). If the County of Monterey does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the mitigation measures to reduce the impact.	Prior to the issuance of building permits: 1. Enter into a development fee and reimbursement agreement with the County of Monterey to provide the Project share of funding for the improvement 2. If the County of Monterey will not accept the fair share of funding, the applicant is relieved from paying fair share	Applicant(s)	City of Seaside	
TRA-15 <u>(Intersection #49): Construct a traffic signal at Intersection #49: SR-1 NB Ramps and Reservation Road.</u> This intersection improvement is contained in the City of Marina CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs. If the City of Marina does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the mitigation measures to reduce the impact.	Prior to the issuance of building permits: 1. Enter into an agreement with the City of Marina to pay fair share of improvement costs. 2. If the City of Marina will not accept the fair share of funding, the applicant is relieved from paying fair share.	Applicant(s)	City of Seaside	
TRA-16 <u>Construct a traffic signal at Intersection #50: SR-1 Southbound Ramps and Reservation Road.</u> This intersection improvement is contained in the City of Marina CIP. As stated above, the Project Applicant shall pay its fair share of mitigation costs. If the City of Marina does not accept fair share payment then the Project Applicant shall be relieved from having to pay the fair share fee due to infeasibility of the mitigation measures to reduce the impact.	Prior to the issuance of building permits: 1. Enter into an agreement with the City of Marina to pay fair share of improvement costs 2. If the City of Marina will not accept the fair share of funding, applicant is	Applicant(s)	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
	relieved from paying fair share			
TRA-17 <u>Payment of FORA Impact Fees.</u> Prior to issuance of any Building Permit, the Project Applicant shall pay the appropriate Fort Ord Reuse Authority (FORA) impact fees, in order to fund their proportionate fair share of the improvement of installing a traffic signal at Intersection #21: Inter-Garrison Road and 2nd Avenue. To the extent specific improvements are not covered in the applicable CIP program, the developer shall fund the improvement, and the improvement shall be implemented prior to issuance of an occupancy permit, or earlier as may be determined necessary by the City Engineer, based upon traffic conditions at that time.	Prior to issuance of building permits: 1. Submit evidence to the City of Seaside that Fort Ord Reuse Authority Impact fees were paid. Prior to issuance of occupancy permits: 1. Where improvements are not covered in the applicable CIP Program, enter into an agreement to fund construction of the improvement and 2. Install improvements identified in the mitigation measure.	Applicant(s)	City of Seaside	
TRA-18 <u>Intersection #39: Broadway Avenue and General Jim Moore Boulevard.</u> Prior to issuance of building permits, the Project Applicant shall install or fund the improvements at the City of Seaside intersection indicated below. The Project Applicant shall enter into a reimbursement agreement for the remaining portion of the improvement costs that are not the Project Applicant's fair share. (Fair share costs for cumulative impacts based on estimated 2013 Project costs to be adjusted annually on July 1 by the Engineering Record's Construction Cost Index). • Intersection #39: Broadway Avenue and General Jim Moore Boulevard. Widen and restripe the intersection to include one southbound through lane, one southbound shared through-right lane, and one southbound right turn lane.	Prior to the issuance of building permits: 1. Install improvements identified in the mitigation measure or enter into a development fee and reimbursement agreement to provide the Project share of funding for the improvement.	Applicant(s)	City of Seaside	
WW-1 <u>Obtain Wastewater Improvement Plans and Permits.</u> To ensure that wastewater infrastructure is adequate to serve the proposed Project, the Project Applicant shall submit design-level infrastructure plans to the sewer collection agency for review and approval. Infrastructure plans shall be prepared and certified by a registered professional engineer and completed to the satisfaction of the District Engineer during each Project phase, prior to the issuance of any grading and/or building permit. All applicable fees and assessments, as determined by the sewer collection agency and the sewer treatment agency shall be paid to the sewer collection agency and the sewer treatment agency prior to the issuance of any grading and/or building permit. The Project Applicant shall submit a sewer permit and proof of payment to the City of Seaside, as evidence documenting compliance with this measure.	Prior to issuance of any grading permit: 1. Submit sewer permit and proof of payment to the City of Seaside to evidence compliance with the criteria contained in the mitigation measure.	Applicant(s)	City of Seaside	
W-1 <u>Water Service Agreement.</u> Prior to the approval of any discretionary permits or entitlements (tentative map, use permits, etc.) for each future development that implements the Specific Plan, the applicant(s) of said development(s) shall provide proof of an adequate water supply, including evidence of a water service agreement from the water provider to the City of Seaside City Engineer/Public Works Services Manager, ensuring that there is sufficient amount of available water from the unused water supply is allocated to serve said development(s) at the time of application of required discretionary permits or entitlements. This includes any non- potable water from the unused recycled water supply allocation, if available at the time of said development(s) that may, with the City's written approval, be used to offset the needed potable water supply to serve said developments(s).	Prior to approval of any use permits: 1. Submit proof of adequate water supply and a water service agreement from the water provider to the City of Seaside City Engineer/Public Works Services Manager.	Applicant(s)	City of Seaside	

Mitigation Measures	Timing of Implementation	Responsibility for Implementation	Verified for Compliance	Staff Initials and Date
W-2 <u>Obtain MCWD Water Permits.</u> To ensure that water infrastructure is adequate to serve each future development that implements the Specific Plan, the applicant(s) of said development(s) shall submit design-level infrastructure plans, pursuant to the Marina Coast Water District's Procedures, Guidelines, and Design Requirements (PGDR), to the satisfaction of the Marina Coast Water District prior to the issuance of any grading and/or building permit. Project plans shall be designed by a registered engineer and shall be in conformance with Marina Coast Water District engineering specifications. The applicant(s) shall obtain a water permit from Marina Coast Water District prior to issuance of any grading and/or building permit. All applicable fees, as determined by Marina Coast Water District at the time of application submittal, shall be paid to Marina Coast Water District prior to the issuance of any grading and/or building permit by the City of Seaside. The applicant(s) shall submit an approved water system permit to the City of Seaside City Engineer/Public Works Services Manager as evidence documenting compliance with this mitigation measure.	Prior to approval of final improvement plans: 1. Submit design-level infrastructure plans that have been approved by the Marina Coast Water District to the City of Seaside Engineer for review for compliance with the criteria contained in the mitigation measure. Prior to the issuance of a grading permit: 1. Submit proof of a water permit from Marina Coast Water District to the City of Seaside.	Applicant(s)	City of Seaside	
W-3 <u>Water Supply Augmentation Improvements.</u> To ensure planned recycled water infrastructure improvements are constructed to serve each future development that implements the Specific Plan, the applicant(s) of said development(s) shall comply with one of the following measures: • Paying their fair share of the appropriate FORA fees, a portion of which is allocated for water supply augmentation improvements, as identified in the most recent version of the FORA Capital Improvement Plan prior to the issuance of any building permits. The applicant(s) shall submit evidence to the City of Seaside demonstrating that FORA impact fees have been paid, prior to the issuance of any certificate of occupancy; or, • Construct the improvements subject to the provisions of a reimbursement agreement which would establish mechanisms for compensation as other developments tie into the system.	Prior to issuance of occupancy permits: 1. Submit evidence to the City of Seaside demonstrating that Fort Ord Reuse Authority Impact Fees have been paid in conformance with the mitigation measure; or, 2. Construct the improvements subject to a reimbursement agreement.	Applicant(s)	City of Seaside	
W-4 <u>Obtain Recycled Water Improvement Plans and Permits.</u> To ensure that the planned recycled water infrastructure per Mitigation Measure W-3 will be adequate to serve each implementing development of the Specific Plan, the applicant(s) of said development(s) shall submit design-level infrastructure plans, pursuant to the Marina Coast Water District's Procedures, Guidelines, and Design Requirements (PGDR), to the satisfaction of the Marina Coast Water District prior to the issuance of any grading and/or building permit. Such plans shall be designed by a registered engineer and shall be in conformance with MCWD's engineering specifications. Applicant(s) shall obtain applicable permit(s) from Marina Coast Water District prior to issuance of any grading and/or building permit. All applicable fees, as determined by the MCWD at the time of application submittal, shall be paid to MCWD prior to the issuance of any grading and/or building permit by the City of Seaside. Applicant(s) shall submit approved permit(s), as applicable, to the City of Seaside City Engineer/Public Works Services Manager as evidence documenting compliance with this measure.	Prior to approval of final improvement plans: 1. Submit design-level infrastructure plans that have proof of approval by the Marina Coast Water District to the City of Seaside Engineer for review for compliance with the criteria contained in the mitigation measure.	Applicant(s)	City of Seaside	

EXHIBIT D

STATEMENT OF OVERRIDING CONSIDERATIONS

I. INTRODUCTION

The following Statement of Overriding Considerations is made in connection with the *Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan* (the “Project”).

Pursuant to State CEQA Guidelines Section 15093, the City Council of the City of Seaside finds that the economic, social, environmental, and other benefits of the Project outweigh the significant and unavoidable environmental effects identified in the *Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan Final Subsequent EIR (Final SEIR)* and in the record, some of which have been reduced in severity to the degree feasible through mitigation measures. In making this finding, the City Council has balanced the benefits of the Project against its unavoidable impacts (Aesthetics – project-level and cumulative changes to visual character and quality; Air Quality – project-level and cumulative operational ROG, NO_x, and CO emissions; Biological Resources – project-level and cumulative impacts from removal of 315 acres of Coast Live Oak Woodland, and project-level and cumulative impacts from removal of 53 Landmark Coast Live Oak trees; Greenhouse Gas Emissions – exceedance of annual per capita GHG emissions thresholds on a project-level and cumulative basis; Land Use and Planning – conflicts with BRP Hydrology/Water Quality Policies B-1 and B-2; Hydrology and Water Quality – project-level and cumulative potential to deplete groundwater supplies; Traffic and Transportation – impacts to Levels of Service and conflicts with Congestion Management Plan; Water Supplies – project-level and cumulative impacts to water supplies due to insufficient water for Project phases IV-VI and uncertain recycled and desalinated water supplies) and has indicated its willingness to accept those adverse impacts. The City Council finds that each one of the following benefits of the Project as set forth below, independent of each of the other benefits, warrants approval of the Project notwithstanding the unavoidable environmental impacts of the Project.

II. STATEMENT OF OVERRIDING CONSIDERATIONS

The City Council finds that the *Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan* project will have the following economic, social, and environmental benefits:

1. The Project will fully and efficiently re-use vacant and underutilized parcels, thereby further implementing the Fort Ord Base Reuse Plan.
2. The Project will provide trails, parks, and staging areas to the Fort Ord Recreational Habitat Area, which leads to the Fort Ord National Monument. Together with property to be designated for a Fort Ord National Monument Interpretive Center, these trails and staging areas will increase opportunities for Seaside residents and visitors to enjoy recreational (including biking, hiking, and walking) and open space features of the area.
3. The Project will provide a substantial amount of housing for local and area residents, and will create a significant number of jobs, thereby considerably improving the City's jobs/housing ratio and helping to replace the substantial number of jobs that were lost upon the closing of the former Fort Ord.
4. The Project will introduce regionally significant equine training, competition and show facilities, thereby broadening and strengthening the region's tourism economy, and positioning the City to more fully participate in the region's tourism economy.
5. The Project will provide a variety of housing types, sizes, and prices to increase housing choice and to help ensure that households of all types and income levels have the opportunity to find suitable ownership or rental housing.
6. The Project will provide housing affordable to very low, low, and moderate income households, and will help meet market demand and the City's and the County's Regional Housing Needs Allocation from the State of California.
7. The Project will create a walkable, mixed-use community (residential, commercial, recreational, institutional and open space) that incorporates principles of long-term environmental sustainability and resource conservation.
8. The Project will provide large-scale recreational facilities, including the equestrian park, an outdoor equestrian training track with active recreation fields within its infield, an indoor sports arena, and community-scale recreation facilities that are not otherwise available in the local area and which will increase recreational opportunities for Seaside residents and visitors.
9. The Project will ensure the preservation of the 73-acre Oak Oval.

10. The Project will provide for additional mixed uses (including residential [such as student apartments], retail, hospitality and recreational uses) close to CSU Monterey Bay, thereby better serving this growing population base within the community, and facilitating CSUMB to host larger athletic and cultural events.
11. The Project will provide opportunities to highlight cultural events and attractions in Seaside to help reinforce a high quality of life in Seaside to potential visitors and business prospects.
12. The Project will provide FORA impact fees, which would otherwise not be available if the project site is not developed, and will mitigate Base Reuse Plan impacts and provide for habitat management through collection of Mello-Roos Community Facilities District (CFD)/Base-wide Development fees and Land Sales proceeds. FORA fees pay for the following improvements: Transportation/Transit, Water Augmentation, Storm Drainage, Habitat Management, Fire Fighting Enhancement, and Water/Wastewater Collection Systems. The Project will fulfill the City's obligation under the MOU by and between the City, the County of Monterey, and FORA for financing the long-term operation and maintenance of the Veterans' Cemetery through sale of the 31.5-acre Endowment Parcel.
13. The Project will provide land sale revenue to the City for approximately 450 acres of land, allowing the City to undertake significant community improvements.
14. The Project will provide revenue to the City associated with increased population and retail other tax generating uses, allowing the City to improve service delivery to residents.

III. FINDINGS

The City Council finds that the foregoing benefits provided through approval of the Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan project outweigh the identified significant adverse environmental impacts. The City Council further finds that each of the individual benefits discussed above outweighs the unavoidable adverse environmental effects identified in the Final Subsequent EIR and, therefore, finds those impacts to be acceptable. The City Council further finds that each of the benefits listed above, standing alone, is sufficient justification for the City Council to override these unavoidable environmental impacts.

RESOLUTION NO. 2016-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE AMENDING OF THE SEASIDE GENERAL PLAN TO INCORPORATE THE MONTEREY DOWNS AND MONTEREY HORSE PARK AND CENTRAL COAST VETERANS CEMETERY SPECIFIC PLAN

WHEREAS, on June 13, 1997, the Fort Ord Reuse Authority adopted the Fort Ord Base Reuse Plan, which identified the approximate 711-acre area now proposed as the Monterey Downs And Monterey Horse Park And Central Coast Veterans Cemetery Specific Plan (hereafter referred to as the “Specific Plan Area” and the “Specific Plan”, respectively) as a development parcel and identified various land use designations including Business Park/Light Industrial Office/R&D, Low Density Residential, Military Enclave (Veterans Cemetery), Public Facility/Institutional, and Open Space Recreation; and,

WHEREAS, on August 5, 2004, the City of Seaside adopted a new General Plan that sets the course for land use and development for the City; and,

WHEREAS, the 2004 Seaside General Plan Land Use Policy Map (Figure LU-2) designates the portion of the project site currently within the city limits as High Density Residential and Park and Open Space (Veteran’s Cemetery); and,

WHEREAS, on December 10, 2004, the Fort Ord Reuse Authority made a consistency determination that the 2004 City of Seaside General Plan was consistent with the Fort Ord Reuse Plan, as required by FORA Master Resolution, Chapter 8; and,

WHEREAS, in December 2005, the Fort Ord Reuse Authority, the U.S. Department of the Army, the County of Monterey, Monterey Peninsula College, the U.S. Bureau of Land Management approved the East Garrison – Parker Flats Land Use Modification Memorandum of Understanding, which changed the land use designations within much of the Specific Plan Area located in unincorporated Monterey County to Monterey Horse Park, County Development Reserve, Veterans Cemetery, and Oak Woodland Habitat Reserve; and,

WHEREAS, on May 13, 2016, the Fort Ord Reuse Authority Board of Directors reaffirmed the land use designations identified in the Seaside General Plan and the East Garrison – Parker Flats Land Use Modification Memorandum of Understanding, some of which apply to the Specific Plan Area; and,

WHEREAS, the 2004 Seaside General Plan specifies that during redevelopment and revitalization activities, the City shall include zoning, development, and design standards that address signage, building facades, lighting, landscaping, and building color (Implementation Plan LU-2.4.1); and,

WHEREAS, the Specific Plan provides for the development and implementation of up to 400 multi-family homes including student apartments on approximately 19 acres; up to 880 single-family homes including 26 detached courtyard homes on approximately 130 acres; up to 535,000 square feet of retail and commercial uses including two 200-room hotels on approximately 51 acres;

an equestrian park on approximately 111 acres, an outdoor equestrian training track, indoor sports arena, and 256 worker lodging units on approximately 139 acres; the Veterans Cemetery with ancillary parcels on approximately 135 acres; approximately 20 acres reserved for public facilities including a proposed City corporation yard and fire station and a Marina Coast Water District existing water storage tank parcel; approximately 34 acres of internal streets; and the 73-acre Oak Oval open space/habitat reserve; and,

WHEREAS, the Specific Plan includes land use designations and maps that are specific to the planning area and will enable implementation of the Specific Plan consistent with the direction provided in the General Plan; and,

WHEREAS, a Final Subsequent Environmental Impact Report (Final SEIR) has been prepared for the proposed project; and,

WHEREAS, the Final SEIR analyzes the environmental impacts of the Project including, project; cumulative, growth-inducing and irreversible environmental impacts, identifies and analyzes mitigation measures intended to reduce environmental impacts, and considers alternatives to the project; and,

WHEREAS, on September 7, 2016, the City's Planning Commission held a duly noticed public hearing where they took testimony, and thereafter deliberated on September 21, 2016 and acted to recommend that the City Council adopt the proposed General Plan Amendment, the Specific Plan, the related zoning map and zoning ordinance text amendments to the Seaside Municipal Code, and certify the related Subsequent Environmental Impact Report (SEIR) as prepared in compliance with the California Environmental Quality Act (CEQA), adopt findings pursuant to CEQA, adopt a Mitigation Monitoring and Reporting Program, and adopt a Statement of Overriding Considerations; and,

WHEREAS, the City Council held a duly noticed public hearing on October 13, 2016 to receive public testimony and consider certification of the Final SEIR, and adoption of the Specific Plan and concurrent amendments to the Seaside General Plan and Title 17 of the Seaside Municipal Code and the Zoning Map; and,

WHEREAS, it is necessary to amend the General Plan to include the portion of the Specific Plan area currently outside of the Seaside City limits ([Exhibit A](#)), contingent upon future annexation of that portion of the project into the City of Seaside; and,

WHEREAS, prior to development within the portion of the Specific Plan Area currently outside of Seaside's City boundary and sphere of influence it is necessary to amend the Seaside boundary and sphere of influence to include the entire Specific Plan Area, which requires a pre-sphere of influence agreement with the County of Monterey and approvals by the Monterey County Local Agency Formation Commission; and,

WHEREAS, it is necessary to prezone and annex to the City of Seaside the Specific Plan Area currently outside of its city boundary, which requires a tax sharing agreement with the County of Monterey and approval by the Monterey County Local Agency Formation Commission; and,

WHEREAS, the City prepared the Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan Subsequent Environmental Impact Report (SEIR) in accordance with California Public Resources Code § 21000 et. seq., the California Environmental Quality Act, and the State CEQA Guidelines, 14 Cal. Code Regs. 15000 et seq. (collectively “CEQA”). The Final SEIR is comprised of (1) the Draft SEIR dated March 2015 and all appendices thereto, (2) the Final SEIR Volumes I and II which consist of the public comments, responses to those comments, and revisions to the Draft SEIR, and (3) the Appendix to the Final SEIR. The City Council, by Resolution No. (Insert EIR Resolution No. _____), certified the Final SEIR on (add date) as adequately prepared in compliance with CEQA, adopted required CEQA findings, adopted the mitigation monitoring and reporting program, and adopted a statement of overriding considerations finding that the economic, social, and environmental benefits outweigh the significant and adverse environmental effects of the Project. The City Council hereby incorporates the findings and determinations made in Resolution No. (Insert EIR Resolution No. _____), by reference, and relies on those findings for the adoption of this Ordinance, which is part of the project analyzed in the Final SEIR, and hereby imposes the mitigation measures as conditions on the Project approvals.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF SEASIDE HEREBY FINDS AND DETERMINES AS FOLLOWS:

Section 1. The City Council amends the Seaside General Plan as set forth in [Exhibit A](#) attached hereto, to accommodate development of the Specific Plan Area consistent with the proposed Specific Plan.

Section 2. The City Council finds that the Specific Plan is consistent with the land use designations for the portion of the Specific Plan Area currently within the City limits, as well as the goals and policies of the Seaside General Plan as proposed to be amended, for the reasons set forth in the General Plan Consistency Analysis attached hereto as [Exhibit B](#), and incorporated by reference.

Section 3. The General Plan Amendment adopted by this Resolution No. _____ shall become effective upon the effective date of this Resolution for those properties currently within the City's jurisdiction, and shall become effective as to that part of the Specific Plan Area that is currently outside of the City's boundaries only upon annexation of that area to the City of Seaside.

Section 4. Indemnification Agreement Required. The applicant for the Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan, Monterey Downs, LLC (“Applicant”), shall enter into an Indemnification Agreement with the City of Seaside agreeing to, at its own expense and with counsel selected by the City, fully defend, indemnify and hold harmless City, its officials, officers, employees, consultants, contractors, legal counsel, and agents (“Indemnified Parties”), from and against any and all claims, suits, causes of action, fines, penalties, proceedings, damages, injuries or losses of any name, kind or description, specifically

including attorney's fees, ("Liabilities"), arising in any way out of the City's approval of this Resolution or any other action of the City related to the Specific Plan. Applicant's indemnification obligation shall include, but not be limited to, actions to attack, set aside, void, or annul the City's approval of the Specific Plan and related actions, and Liabilities premised on, related to, or invoking Planning and Zoning Law or the California Environmental Quality Act (CEQA), including those arising out of the City's decisions related to the Project's CEQA documents. Applicant's indemnification obligations shall not be limited to the amount of insurance coverage that may be available to Applicant, and shall not otherwise be restricted or confined by the presence or absence of any policy of insurance held by the City or Applicant. Applicant's indemnification obligations as required herein, and as memorialized in the indemnification agreement, shall survive the completion or abandonment of the Project, including the situation where the approvals of other permitting agencies are not granted. The provisions of the indemnification agreement shall be drafted, interpreted, and construed to provide the fullest protection possible under law to the City. Further, all obligations and Liabilities under the indemnification agreement shall be paid by the Applicant as they are incurred. The indemnification agreement shall be in a form and substance as approved by the City Attorney, and shall be executed within forty-five (45) days of the date on which this Resolution is adopted. The City Council hereby authorizes the City Manager to execute the indemnification agreement meeting the minimum requirements set forth herein.

PASSED AND ADOPTED at a special meeting of the City Council of the City of Seaside duly held on the ____ day of _____, 2016, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

Ralph Rubio, Mayor

ATTEST:

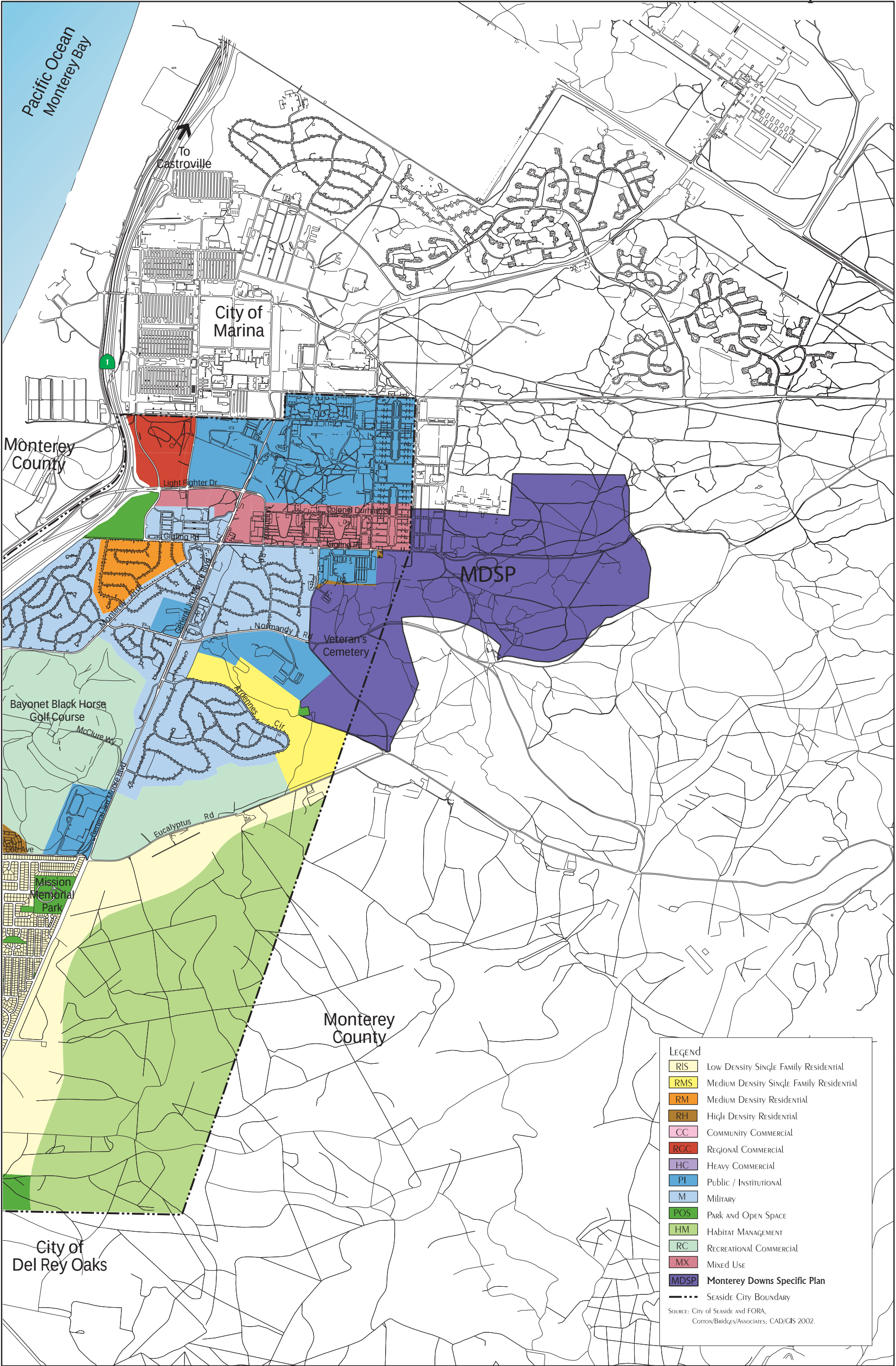
Lesley E. Milton-Rerig, City Clerk

Exhibit A - Amendment to the General Plan
Exhibit B - General Plan Consistency Analysis

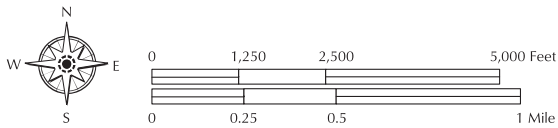
City of Seaside General Plan Text Amendment

The following changes would be made to the General Plan:

1. Figure LU-2, Land Use Policy Map. Add the portion of the Specific Plan that is not currently included on the map. Identify the entire project site with a new color. In the Legend, identify the entire project site as MDSP Monterey Downs Specific Plan. [See attached draft map.](#)
2. Page LU-14, add “Monterey Downs Specific Plan” at the end of the list under Specific Plan (SP) Overlay.
3. Figure LU-3, Specific Plan Areas. Add the portion of the project site currently not included on the map.
4. Figure LU-4, Neighborhoods. Add the portion of the project site currently not included on the map.
5. Figure LU-5, Water Districts. Add the portion of the project site currently not included on the map, and within the Marina Coast Water District Boundary.
6. Figure LU-6, Schools. Add the portion of the project site currently not included on the map.
7. Urban Design Element. Add a discussion about the Monterey Downs Specific Plan within the section subtitled “Specific Plan Areas”. “The 711.1-acre Specific Plan allows for up to 400 multi-family homes including student apartments on approximately 19 acres; up to 880 single-family homes including 26 detached courtyard homes on approximately 130 acres; up to 535,000 square feet of retail and commercial uses including two 200-room hotels on approximately 51 acres; an equestrian park on approximately 111 acres; an outdoor equestrian training track, indoor sports arena, and up to 256 worker lodging units on approximately 139 acres; the Veterans Cemetery with ancillary parcels on approximately 135 acres; public facilities including a City corporation yard, a Marina Coast Water District water storage tank parcel, and fire station on approximately 20 acres; approximately 34 acres of internal streets; and the 73-acre Oak Oval open space/habitat reserve. The Specific Plan includes a land use plan, circulation plan, public facilities and services plan, architectural design guidelines, development standards, landscaping and grading design standards, and an implementation plan to guide the development of the Project site.”
8. Figure UD-1, Urban Design Plan. Add the portion of the project site currently outside of the city limits. Identify the entire project area as the Monterey Downs Specific Plan.
9. Figure C-4, Planned Circulation System. Add the portion of the project site currently not included on the map.
10. Figure S-3, Fire Hazards. Add the portion of the project site currently not included on the map.
11. Figure S-4, Hazardous and Toxic Waste Sites. Add the portion of the project site currently not included on the map.
12. Figure S-5, Expected Locations of Unexploded Ordnance. Add the portion of the project site currently not included on the map.
13. Figure S-6, Evacuation Routes. Add the portion of the project site currently not included on the map.



Source: City of Seaside General Plan



CONSISTENCY WITH APPLICABLE SEASIDE GENERAL PLAN POLICIES

The Seaside General Plan was reviewed for policies that are applicable to the Specific Plan and a discussion of the Specific Plan's consistency with those policies is presented below.

Land Use Element

GOAL LU-1: Promote a mixture of land uses and a balance of jobs and housing to support a community in which people can live, work, shop, and play.

Policy LU-1.2: Encourage development that helps the City achieve a jobs/housing ratio of 1.5:1.

Consistency. According to AMBAG, in 2010, Seaside had 11,335 housing units and 7,790 jobs for a jobs/housing balance of 0.69:1. The project would add up to 1,280 housing units and approximately 2,758 jobs for a jobs/housing balance of 0.84:1. The project would assist in achieving a more favorable job/housing balance and therefore, is consistent with this policy.

Policy LU-1.3: Encourage regional commercial and visitor-serving commercial development that will enhance the identity of Seaside and attract visitors to the community.

Consistency. The Specific Plan allows for up to 775,000 square feet of commercial/retail uses and about 250 acres of equestrian-related visitor-serving uses (Monterey Horse Park and the Monterey Downs Training Track). Therefore, the project is consistent with this policy.

Policy LU-1.4: Provide for a variety of housing that complements the employment opportunities in the community.

Consistency. The Specific Plan would allow for up to 1,280 residential units, with an additional 256 units identified as "qualified worker lodging in a hotel format". The 1,280 units would consist of the following: up to 880 single-family lots (including 26 detached courtyard homes), and up to 400 apartments (including student apartments). The 880 single-family lots range from about 2,500 square feet to about 7,000 square feet. The project includes a variety of housing types, sizes, and prices, including both ownership and rental opportunities and is therefore, consistent with this policy.

Policy LU-1.5: Provide for a large-scale commercial recreational facility.

Consistency. The project includes two, large-scale commercial visitor-serving recreational facilities: the Monterey Horse Park, and the equestrian training track (outdoor) and sports arena (indoor) complex. The Monterey Horse Park would be a non-profit equestrian facility that will host regional, state, national, and international events such as dressage, eventing, jumping, driving, vaulting, etc., the types of events one would see in the Summer Olympics. The equestrian training track would be a world-class thoroughbred training facility.

The sports arena is a 6,500 seat venue for a wide variety of sporting and special events, such as ice hockey, basketball, semi-pro sports, trade shows, car shows, veteran's events, and graduation ceremonies. Therefore, the project is consistent with this policy.

GOAL LU-4: Ensure that new development complements existing land uses and enhances the character of the community and its neighborhoods.

Policy LU-4.1: Require that all new development: 1) funds its share of community services and facilities (e.g., parks, roads, trails, and utilities); 2) uses quality design and materials; and 3) is compatible with surrounding uses, the site, and available infrastructure.

Consistency. The Specific Plan requires that development pursuant to the plan funds its share of community services and facilities. Additionally, the City will be negotiating a Disposition and Development Agreement that also solidifies the requirements for the development to fund its share of community services and facilities.

The Specific Plan includes a set of architectural design guidelines, development standards, and landscape and grading standards to ensure development uses quality design and materials. The EIR evaluated the project's compatibility (noise, safety, and other environmental issues) with surrounding land uses and concluded that there were no incompatibility impacts that could not be mitigated. Development within the Specific Plan area will be required to connect to existing infrastructure and extend such infrastructure where necessary.

GOAL LU-5: Collaborate with local and regional water suppliers to continue to provide quality water supply and treatment capacity to meet community needs.

Policy LU-5.1: Review development proposals to ensure that adequate water supply, treatment, and distribution capacity is available to meet the needs of the proposed development without negatively impacting the existing community.

Consistency. Water for development within the Specific Plan area will be supplied by the Marina Coast Water District. While there is currently only sufficient water supplies allocated to the City of Seaside and County of Monterey to serve approximately Phases I through III of the project, the water district is in the process of studying supplemental water supply options through a MOU with the Fort Ord Reuse Authority (FORA) and the Monterey Regional Water Pollution Control Agency.

The Specific Plan EIR includes a mitigation measure that requires sufficient water supply be available prior to issuance of building permits. This mitigation measure will not allow development to proceed without assurance that water supply is available. The provision of water to the project by the Marina Coast Water District will not affect water supply availability to the existing community. Therefore, the project is consistent with this policy.

Policy LU-5.3: Actively promote water conservation by City residents and businesses.

Consistency. The project will be required to comply with water conservation measures promulgated by the Marina Coast Water District.

Policy LU-5.4: Promote the use of recycled water for irrigation of parks, golf courses, and public landscaped areas in the community.

Consistency. The Marina Coast Water District is in the process of studying and planning for the use of recycled water for development on the former Fort Ord. The project will be designed to receive recycled water when it is available. The Marina Coast Water District estimates that the project could utilize 302.5 acre feet of recycled water per year. Therefore, the project is consistent with this policy.

GOAL LU-6: Ensure that sewer service and facilities are provided and maintained to adequately meet the community's current and future need for sewer collection and treatment.

Policy LU-6.2: Ensure new development and redevelopment projects provide adequate sewage collection infrastructure.

Consistency. The Specific Plan includes a sewer collection infrastructure plan. The City will condition all development pursuant to the Specific Plan to provide the necessary sewer collection infrastructure. Therefore, the project is consistent with this policy.

GOAL LU-8: Provide a level of flood control and protection that meets the needs of the community.

Policy LU-8.2: Ensure that developers provide stormwater retention/detention facilities and institute Best Management Practices that regulate runoff and siltation that meets local, State, and federal standards.

Consistency. The Specific Plan includes a drainage plan that is consistent with the requirement of the Fort Ord Base Reuse Plan by retaining all storm water on site. City will condition all development pursuant to the Specific Plan to retain all storm water on site. Therefore, the project is consistent with this policy.

GOAL LU-9: Provide a sufficient level of fire protection, public education, and emergency response service (with a response time of five minutes) for all portions of the community.

Policy LU-9.1: Adopt and maintain level of service (e.g., response times, call handling) and staffing standards for the Fire Department.

Consistency. The project would be served by the Seaside Fire Department, with assistance from the Presidio of Monterey station on General Jim Moore Boulevard and the new fire station planned for construction at East Garrison. If necessary to maintain acceptable levels of service, the project includes a site for a new Seaside fire station. Therefore, the project is consistent with this policy.

GOAL LU-11: Cooperate with local school districts and other educational organizations to ensure that a level of public education is provided that meets the community's educational needs.

Policy LU-11.1: Consider impacts of proposed projects on school enrollment and facilities.

Consistency. City staff contacted the Monterey Peninsula Unified School District in July 2015 pursuant to and the City's subdivision ordinance and California Government Code § 66455.7 soliciting information regarding the ability of the school district to adequately serve school children living within the residential portion of the project. Additionally, the school district was consulted regarding the project's anticipated student enrollment and was invited to comment on the Draft EIR. The EIR addresses the impacts of the project on school enrollment and facilities and therefore, is consistent with this policy.

Urban Design Element

GOAL UD-1 Create and maintain a positive image that also provides a clear identity for the community within the region.

Policy UD-1.1: Enhance the City's image and identity within the region's natural setting.

Consistency. The project is an approximate 576-acre mixed-use upscale equestrian-themed village with commercial/retail, a variety of new housing, quality recreational facilities, and Veterans Cemetery ancillary facilities. The project would provide a variety of jobs and provide two staging areas for improved access to the Fort Ord Habitat Recreation Area lands and beyond to the Fort Ord National Monument. The project would enhance the City's image and identity within the region's natural setting and therefore, is consistent with this policy.

GOAL UD-2 Create and preserve distinct neighborhoods and business districts.

Policy UD-2.2: Minimize potential light and sound impacts of new development and redevelopment on surrounding areas.

Consistency. The Specific Plan EIR addressed the issues of light and noise impacts of the project on the surrounding areas. The EIR concluded that all light and noise impacts can be mitigated. These mitigation measures (AES-3, NOI-1, NOI-2, NOI-3) will be included as conditions of approval for applicable projects within the Specific Plan. Therefore, the project is consistent with this policy.

Policy UD-2.3: Ensure projects use design and site planning facilities that reduce potential criminal activities.

Consistency. The Seaside Police Chief will be consulted with each development application pursuant to the Specific Plan to ensure project design and site planning does not facilitate criminal activities. Therefore, the project is consistent with this policy.

GOAL UD-4: Provide civic art and community design that instills pride and creates a sense of place.

Policy UD-4.1: Encourage the provision of civic art into public and private development and redevelopment projects.

Consistency. The Specific Plan does not address civic art. Therefore, staff is recommending adding a landscape design principle and a landscape design standard that requires providing civic art in both public and private development projects pursuant to the Specific Plan. With the addition of this language in the Specific Plan, the project will be consistent with this policy.

Policy UD-4.3: Provide attractive community gathering places that meet the social, civic, cultural, and recreational needs of the community.

Consistency. The Specific Plan provides for development of community gathering places that meet the social, civic, cultural, and/or recreational needs of the community. Planning Area C-2, “Country Walk” includes up to 330,000 square feet of outdoor shopping, entertainment, and hotel uses. The vision is for an open-air plaza designed be walkable and without automobiles. Facilities for hikers, bikers, equestrians, and dog-owners would connect Country Walk with the adjacent open space and trails network. A staging area will be located in the southern portion of Country Walk and will include a bike center, dog barn, horse tie up, barn/livery, and restrooms. Allowed uses include, but would not limited to restaurants, outdoor cafes, local proprietors, museums, small office spaces, a movie theatre, hotel, and a farmer’s market. Planning Area C-2 “Country Walk” is located immediately adjacent to Planning Area R-3, planned for multi-family residential projects.

A tennis and swim center and a community park are planned for the Planning Area C-1 and smaller parks are located throughout the residential development. Other recreational opportunities within the Specific Plan include two staging areas to the onsite and offsite trail system, an equestrian park, and a sports arena.

Associated with the Veterans Cemetery, the Specific Plan includes two separate parcels, totaling 5 acres, designated for cemetery ancillary uses. Permitted uses include cultural and nondenominational facilities, assembly facilities, and trails.

Finally, the Specific Plan allows for development of a new City corporation yard, as well as a fire station, if determined to be necessary. Therefore, the project is consistent with this policy.

Economic Development Element

GOAL ED-1: Establish a diverse and balanced mix of businesses that will generate a stable, long-term stream of revenue to fund city services.

Policy ED-1.1: Encourage the full and efficient use of vacant and underutilized parcels in appropriately designated areas to support the development and expansion of targeted industrial and commercial facilities.

Consistency. The project site is vacant and underutilized and is designated as development parcels in the Fort Ord Base Reuse Plan, as well as in the City of Seaside and County of Monterey general plans. The Specific Plan allows for up to 330,000 square feet of outdoor shopping, entertainment, and hotel uses (C-1 Planning Area) and up to 205,000 square feet (26.9 acres) for commercial, office, and business traveler hotel uses (C-2 Planning Area). The

Specific Plan also includes provisions for a sports arena, equestrian training track, and an equestrian park. Therefore, the project is consistent with this policy.

GOAL ED-3: Provide the necessary public facilities and infrastructure to support new commercial and industrial development.

Policy ED-3.1: Seek innovative ways of financing infrastructure provision without unduly transferring the cost burden to the residential sector.

Consistency. The Specific Plan includes a discussion of infrastructure improvement responsibilities, including possible methods of financing necessary infrastructure. Infrastructure necessary for the development in the Specific Plan area would be provided in a variety of ways including, but not limited to, improvements in the FORA capital improvement plan (funded by developer impact fees); funding by the developer paying fees to the City of Seaside in compliance with the provision of the Disposition and Development Agreement, as well as various assessment and/or financing districts that would be the responsibility of the developers and/or property owners. The cost of the project's infrastructure needs will be borne by all phases of the project and would not be unduly transferred to the residential portion of the project. Therefore, the project would be consistent with this policy.

GOAL ED-5: Attract new regional- and visitor-serving businesses.

Policy ED-5.1: Attract and support commercial and employment generating development that is consistent with the General Plan and City ordinances.

Consistency. The Specific Plan provides for land to develop regional- and visitor-serving businesses: 50.9 acres for retail/commercial uses (up to 535,000 square feet); a 110.7-acre equestrian park, and a 138.7-acre equestrian training track and sports arena, as well as two staging areas encouraging local and visitor use of the trail system in the adjacent habitat reserve (Fort Ord Recreational Habitat Area) and further to the Fort Ord National Monument. The fiscal and economic impact analysis prepared for the Specific Plan projects that development within the Specific Plan area will employ approximately 2,758 persons on site, with approximately 1,743 non-equestrian jobs and approximately 1,015 equestrian jobs. These numbers do not include short-term construction jobs. Therefore, the project is consistent with this policy.

Policy ED-5.2: Highlight cultural events and attractions in Seaside to help project a high quality of life image to potential visitors and business prospects.

Consistency. The Specific Plan provides for the development of a 110.7-acre equestrian park, and a 138.7-acre equestrian training track and sports arena (to be used for a variety of community and cultural events), as well as two staging areas encouraging local and visitor use of the trail system in the adjacent habitat reserve (Fort Ord Recreational Habitat Area) and further to the Fort Ord National Monument. The project also includes 5 acres of uses ancillary to the Veterans Cemetery. Permitted uses include cultural and nondenominational facilities, assembly facilities, and trails. Therefore, the project is consistent with this policy.

GOAL ED-7: Use Seaside's labor force as an economic development and business attraction tool and increase the number of new jobs filled by Seaside residents by coordinating economic development efforts with employment placement.

Policy ED-7.1: Support job training for skilled labor through City- and employer-sponsored training or continuing educational programs.

Consistency. The Specific Plan provides for opportunities for job training for skilled labor. Specific Plan educational policy ED-1 states, "Assist local colleges in developing new educational opportunities in the animal sciences fields. The Monterey Horse Park (Planning Area Rec-1) will be available to a variety of educational groups such as high school Future Farmers of America (FFA), at risk youth programs and college students pursuing careers in the equine field. Facilities will also be available for sporting events run by local schools and youth organizations. The equestrian training track (Planning Area Rec-2) will provide internship and job opportunities for students in the animal science fields." Therefore, the project is consistent with this policy.

GOAL ED-8: Actively promote a balance between the numbers and types of workers residing in Seaside and the opportunities for employment in the city.

Policy ED-8.1: Encourage development that helps the City achieve a jobs/housing ratio of 1.5:1.

Consistency. According to AMBAG in 2010, Seaside had 11,335 housing units and 7,790 jobs for a jobs/housing balance of 0.69:1. The project would add up to 1,280 housing units and up to 2,758 jobs for a jobs/housing balance of 0.84:1. The project would assist in achieving a more favorable job/housing balance and therefore, is consistent with this policy.

Circulation Element

GOAL C-1: Provide and maintain a City circulation system that promotes safety and satisfies the demand created by new development and redevelopment in Seaside.

Policy C-1.1: Design roadway capacities and ensure transportation facilities that adequately serve planned land uses.

Consistency. The City of Seaside's standards for the area of the City within the former Fort Ord are the same as the FORA standards. The project roadways will be constructed to these standards and are planned to adequately serve the Specific Plan's land uses. Therefore, the project is consistent with this policy.

Policy C-1.2: Improve the Seaside circulation system in concert with public and private land development and redevelopment projects to maintain the City standard of Level of Service "C".

Consistency. A traffic impact analysis was conducted as part of the project EIR. The report concluded that all study intersections in the City of Seaside will operate at acceptable level of service C or better with implementation of required mitigation measures. Therefore, the project is consistent with this policy.

Policy C-1.4: Provide adequate access to the University, golf courses, and other uses in North Seaside.

Consistency. The project site is located in North Seaside and the unincorporated County immediately adjacent to North Seaside. Access to the project would be provided by General Jim Moore Boulevard and Eucalyptus Road, Gigling Road, Normandy Road and Parker Flats Road, and the Eastside Parkway, when constructed by FORA. Therefore, the project is consistent with this policy.

Policy C-1.5: Use traffic calming methods within residential and mixed use areas where necessary to create a pedestrian-friendly circulation system.

Consistency. Traffic calming mechanisms are integrated into the Specific Plan's overall circulation design. These features also provide for additional landscaping, which help to soften the streetscape. The Specific Plan preferred traffic calming mechanisms are traffic circles with compatible landscaping and signage in their centers. In addition, bulb-outs with enhanced intersection and mid-block paving will delineate pedestrian cross-walks, reduce the time needed to cross the street, and further define the pedestrian space. Figure 7.4 of the Specific Plan provides conceptual illustrations of the proposed raised traffic circle. The Specific Plan includes traffic calming methods and therefore, the project is consistent with this policy.

GOAL C-2: Provide a local circulation system that is integrated with the larger regional transportation system to ensure the economic well-being of the community.

Policy C-2.1: Coordinate planning, construction and maintenance of development projects and circulation improvements with adjacent jurisdictions and transportation agencies.

Consistency. The Specific Plan is bisected by the FORA-planned Eastside Parkway, which would be accessed by General Jim Moore Boulevard via Eucalyptus Road and Gigling Road. The City will continue to work with FORA and TAMC, where appropriate, to make the necessary improvements, which are included in the FORA capital improvement program. Therefore, the project is consistent with this policy.

Policy C-2.2: Support programs that help reduce congestion and encourage alternative modes of transportation.

Consistency. The Specific Plan is a mixed-use project adjacent to existing residential, planned commercial/retail (Surplus II) and in proximity to CSUMB. The Specific Plan includes the following alternative modes of transportation: approximately 4 miles of internal trails, and two staging areas for increased access to the adjacent habitat reserve (Fort Ord Habitat Recreational Area) and beyond to the Fort Ord National Monument; and provides for at least one transit stop, which would be located in the center of the project. Therefore, because the project is a mixed-use project and encourages alternative modes of transportation, it is consistent with this policy.

GOAL C-3: Promote the increased use of multi-modal transportation.

Policy C-3.3: Promote mixed use, higher density residential, and employment-generating development in areas where public transit is convenient and desirable.

Consistency. The Specific Plan is a mix of a variety of medium and high residential densities, as well as employment-generating and recreational development, and provides for at least one transit stop in the center of the project. The project is a mixed use, higher density residential and employment-generating project and therefore, is consistent with this policy.

Policy C-3.4: Support alternative modes of transportation that encourage physical activity, such as biking and walking.

Consistency. The Specific Plan includes approximately 4 miles of internal trails (pedestrian, biking, and equestrian), and two staging areas for increased access to the adjacent habitat reserve (Fort Ord Habitat Recreational Area) and beyond to the Fort Ord National Monument. Therefore, the project is consistent with this policy.

GOAL C-4: Ensure adequate parking is provided throughout Seaside.

Policy C-4.1: Require off-street parking in new development and redevelopment projects.

Consistency. The Specific Plan includes the requirement of adequate off-street parking in all land uses, as detailed in the Specific Plan, Chapter 6, Development Standards. Therefore, the project is consistent with this policy.

Policy C-4.2: Support the development of well-designed and aesthetically pleasing parking facilities in areas where current parking deficiencies exist or where substantial traffic generating uses are planned.

Consistency. The Specific Plan allows for uses (equestrian training track and sports arena, equestrian park, and the County Walk retail/commercial area) which are expected to generate substantial traffic when special events occur, and therefore, parking structures associated with these facilities would likely be proposed and are an allowed use in the Specific Plan. The Specific Plan includes architectural guidelines that address form, height and massing; façade, features and details; materials and colors; roofs; utilities and mechanical equipment; and service, loading and storage areas. Parking facilities proposed within the Specific Plan area will be required to comply with the architectural guidelines and as with all development design, will be subject to review and approval by the City. Therefore, the project is consistent with this policy.

Policy C-4.3: Ensure well-landscaped parking lots that facilitate pedestrian movement and screen unattractive structures.

Consistency. In addition to the architectural design guidelines discussed above, the Specific Plan also includes landscape design standards. Parking lots proposed within the Specific Plan area will be required to comply with the landscape standards and will be subject to review and approval by the City. Therefore, the project is consistent with this policy.

Open Space and Conservation Element

GOAL COS-1: Provide and maintain a high quality parks and recreation system that meets the varying recreational needs of the community.

Policy COS-1.1: Provide a variety of well-maintained public parks and recreational facilities for Seaside residents.

Consistency. The project includes 12.7 acres of parks (mini, neighborhood, and community), 91 acres of open space (Oak Oval) and linear park preserve, approximately 4 miles of trails, two staging areas for increased access to the adjacent habitat reserve (Fort Ord Habitat Recreational Area) and beyond to the Fort Ord National Monument, an equestrian park, and an equestrian training track and sports arena. Therefore, the project is consistent with this policy.

Policy COS-1.3: Maximize pedestrian, transit, and bicycle access to parks and other local and regional activity centers as an alternative to automobile access.

Consistency. The Specific Plan's retail/commercial and equestrian recreational opportunities would be regional activity centers. The project includes 12.7 acres of parks (mini, neighborhood, and community), 91 acres of open space (Oak Oval) and linear park preserve, approximately 4 miles of trails, two staging areas for increased access to the adjacent habitat reserve (Fort Ord Habitat Recreational Area) and beyond to the Fort Ord National Monument, an equestrian park, and an equestrian training track and sports arena. The Specific Plan also provides for at least one transit stop, centrally located within the Specific Plan area. Therefore, the project is consistent with this policy.

GOAL COS-2: Provide a safe and adequate water supply to meet the needs of the community.

Policy COS-2.1: Work with regional and local water providers to ensure that adequate supplies of water are available to meet existing development and future growth.

Consistency. The EIR concluded that because sufficient water is not currently available for build-out of the Specific Plan, a significant and unavoidable impact would occur. The Marina Coast Water District has indicated that, until supplemental water supplies are developed and available, water is currently available for Phases I through III only. The water district, in cooperation with FORA and the Monterey Regional Water Pollution Control Agency, is in the process of studying and developing supplemental water supplies to provide sufficient water to projects on the former Fort Ord, including but not limited to development of the project site. Supplemental water supplies are also planned in an effort to reduce impacts to the Salinas Valley Groundwater Basin. The City of Seaside is a member agency of both FORA and the Monterey Regional Water Pollution Control Agency and therefore, supports the agencies in the quest to develop supplemental water supplies.

Policy COS-2.2: Encourage the production, distribution, and use of recycled water.

Consistency. The Marina Coast Water District, FORA, and the Monterey Regional Water Pollution Control Agency are in the process of studying supplemental water supplies. One of these supplies is recycled water. The Monterey Regional Water Pollution Control Agency currently treats wastewater to a tertiary level and is providing recycled water. The agency plans to provide recycled water to the Marina Coast Water District when the water district constructs the delivery infrastructure. The City of Seaside is a member agency of both FORA and the Monterey Regional Water Pollution Control Agency and therefore, supports the

agencies in the quest to produce and distribute recycled water current and future projects in Seaside. Development within the Specific Plan will be required to install the purple piping required for recycled water for use when recycled water supplies are available. Therefore, the project is consistent with this policy.

Policy COS-2.3: Participate in and implement local and regional programs that promote water conservation as a means of improving water supply and water.

Consistency. The Specific Plan includes sustainability requirements in the development standards that address, among other things, water conservation efforts including water efficiency plumbing fixtures and appliances, and landscaping that minimizes the need for irrigation (Specific Plan Chapter 6 and Chapter 7). Therefore, the project is consistent with this policy.

GOAL COS-3: Protect and enhance local and regional ground and surface water resources.

Policy COS-3.1: Eliminate long-term groundwater overdrafting as soon as feasible.

Consistency. The Marina Coast Water District, in cooperation with FORA and the Monterey Regional Water Pollution Control Agency, is in the process of studying and developing supplemental water supplies to provide sufficient water to projects on the former Fort Ord, including but not limited to development of the project site. Supplemental water supplies are also planned in an effort to reduce impacts to groundwater supplies in the Salinas Valley Groundwater Basin, as well as to provide sufficient water for full implementation of the Fort Ord Base Reuse Plan. The City of Seaside is a member agency of both FORA and the Monterey Regional Water Pollution Control Agency and therefore, supports the agencies in the quest to develop supplemental water supplies and reduce groundwater overdrafting. Development within the Specific Plan will be required to install the purple piping required for recycled water for use when recycled water supplies are available. Therefore, the project is consistent with this policy.

GOAL COS-4: Preserve and protect the sensitive habitats and species within the community.

Policy COS-4.1: Preserve ecological and biological resources by maintaining these resources as open space.

Consistency. The Specific Plan parcels are identified as development parcels in the Fort Ord Reuse Plan and the Fort Ord Habitat Management Plan (HMP). The HMP identifies and protects the most sensitive biological resources; i.e. those plant and wildlife species that are considered rare, threatened, or endangered. Fort Ord developers pay a FORA impact fee that, among other things, provides funding to maintain the sensitive resources protected by

the HMP. Additionally, the Specific Plan land use plan includes a Firewise Overlay, which consists of a 200-foot buffer, along all of the internal (Oak Oval) and adjacent property identified as Fort Ord Recreational Habitat Area, which is protected by the HMP. Therefore, the project is consistent with this policy.

Policy COS-4.3: Encourage the preservation and enhancement of oak woodland elements in the natural and built environments.

Consistency. The EIR concluded that the loss of oak woodland would result in both visual and biological significant and unavoidable impacts. Development of the Specific Plan area would result in the elimination of approximately 315 acres (approximately 77 percent) of the Project site's coast live oak woodland habitat. The EIR contains a mitigation measure (BIO-16) that requires habitat restoration efforts and creation of a conservation easement and/or participation in a mitigation bank or fee program to conserve oak woodlands. Therefore, as the project site is a development parcel in the Fort Ord Base Reuse Plan, substantial mitigation is required, and the project is consistent with the Fort Ord Habitat Management Plan, the project is consistent with this policy.

GOAL COS-5: Protect high sensitivity archaeological resources, architecturally significant buildings, and historic places.

Policy COS-5.1: Identify and conserve archeological, architectural, and historic resources within Seaside.

Consistency. According to the findings in the Base Reuse Plan EIR, supplemented by additional record searches and tribal consultation associated with preparation of the Specific Plan EIR, there are no known archaeological, architectural, or historic resources at the project site. However, the EIR does include standard mitigation measures (CR-1 and CR-2) to protect such resources if they are accidentally discovered during site grading and construction activities. Therefore, the project is consistent with this policy.

GOAL COS-6: Protect and improve local and regional air quality.

Policy COS-6.1: Integrate air quality planning with land use, economic development, and transportation planning.

Consistency. The EIR concluded that the Project would result in significant and unavoidable impacts on air quality, greenhouse gas emissions, and transportation infrastructure. The project provides for a mix of land uses (residential, retail, commercial, recreational, institutional) and therefore, could reduce vehicle trips and therefore, improve air quality. Other project components that work to reduce air quality impacts include provision for transit services and miles of trails. Therefore, the project is consistent with this policy.

GOAL COS-7: Encourage energy conservation.

Policy COS-7.1: Participate in local, regional, and State programs that promote energy conservation.

Consistency. All development within the Specific Plan shall incorporate the current Title 24, Part 6, California Energy Efficiency Standards for Residential and Nonresidential Buildings, Title 24, Part 11, California Green Building Standards Code (CALGreen) requirements for low-rise residential apartments and dwellings. Additionally, the Specific Plan includes sustainability requirements in the development standards that address site design, construction sites, water conservation, equipment/appliances, indoor energy conservation, use of rapidly renewable construction resources, and water efficiency plumbing fixtures and appliances (Specific Plan Chapter 6). Therefore, the project is consistent with this policy.

GOAL COS-8: Encourage exterior lighting that preserves night skies.

Policy COS 8.1: Participate in local and regional efforts to reduce light pollution of night skies.

Consistency. Development of the Specific Plan area would result in exterior lighting. The Specific Plan lighting standards include requiring light fixtures that prevent light spillover onto adjacent properties and prevent light pollution of the night-sky. For example, all exterior floodlights, pole lights, and carriage lights shall include shielding in a manner such that all of the luminous flux falls upon either the surface of the structure to be illuminated or on the ground wholly on the property on which it is installed. The Specific Plan EIR addresses lighting impacts and includes a mitigation measure (AES-3) to further minimize exterior lighting and sky glow impacts. Therefore, the project is consistent with this policy.

Safety Element

GOAL S-1: Reduce the risks to people and property from hazards related to seismic activity, flooding, geologic conditions, and wildfires.

Policy S-1.1: Reduce the risk of impacts from seismic and geologic hazards.

Consistency. A geotechnical investigation and percolation testing was conducted on the Veterans Cemetery site, and a phase one geotechnical report and geologic hazards assessment was conducted for the remainder of the Specific Plan area. The reports concluded that the project site is not underlain by an active fault, but that the project site would be subject to ground shaking and possible ground failure during a strong earthquake. The EIR includes mitigation measures (GEO-1 and GEO-2) that require preparation of further design-level geotechnical investigations to identify design recommendations associated with, but not limited to earthwork, structure foundations, seismic considerations, slabs-on-grade,

retaining water, pavement recommendations, etc. Utilizing industry standards for site preparation and construction would minimize damage to buildings and infrastructure and injury to people. Therefore, the project is consistent with this policy.

Policy S-1.2: Protect the community from flooding hazards.

Consistency. According to the Specific Plan EIR, the project site is not in a flood hazard area. The project site soils are sandy, and storm water runoff of these soils is slow to moderate. Additionally, the Specific Plan includes a storm water plan that ensures all storm water is retained in appropriately-sized basins on site. Therefore, the project is consistent with this policy.

Policy S-1.3: Reduce the risk of wildfire hazards in the community.

Consistency. The Specific Plan land use plan includes a Firewise Overlay, which consists of a 200-foot buffer along all of the internal (Oak Oval) and adjacent property identified as Fort Ord Recreational Habitat Area (habitat reserve). This buffer is designed to assist in reducing the potential for project activities to result in fires in the adjacent habitat areas, and to minimize the potential for fire that may occur in the adjacent habitat areas to affect the development. Additionally, if the project cannot be adequately served by existing/planned fire stations (e.g. the City station on Broadway Avenue, the Presidio station on General Jim Moore, of the planned County fire station in the East Garrison community), a site has been reserved in the Specific Plan area for a new fire station. Therefore, the project is consistent with this policy.

Policy S-2.2: Minimize the risk to the community associated with hazardous materials.

Consistency. Specific Plan land uses consist of residential, retail/commercial, and recreational. None of these land uses are expected to result in a risk to the community associated with hazardous materials. The City does plan to move its corporation yard to the project site in the future. A variety of hazardous materials may be used and/or stored at this location; however, the City stores and uses these materials in accordance with local, state, and federal laws.

Additionally, past use of the project site included military training and the use of munitions and explosives of concern, and although the property has undergone clearance of these materials, the potential remains for some of the materials to remain hidden in the soil. The Specific Plan EIR, as well as requirements of FORA, require measures (HAZ-1, HAZ-2, HAZ-3) that include preparation and implementation of a hazards and hazardous materials contingency plan for construction activities, a munitions and explosives safety briefing, and

when necessary, remediation activities. Therefore, the project would be consistent with this policy.

Noise Element

GOAL N-1: Provide consistent and effective noise control through proper land use planning.

Policy N-1.1 Ensure that new development and reuse/revitalization projects can be made compatible with the noise environment and existing development.

Consistency. The Specific Plan EIR evaluate noise associated with development of the Specific Plan area and concluded that construction noise would be less than significant with implementation of a mitigation measure (NOI-1) that requires construction noise reduction measures to be implemented during construction activities. The EIR also concluded that noise associated with the equestrian training track, sports arena, and swim and tennis center would be mitigated to a less than significant level with implementation of measures (NOI-2 and NOI-3) that reduce noise associated with these activities. Therefore, the project is consistent with this policy.

GOAL N-2: Minimize transportation-related noise impacts.

Policy N-2.1: Reduce noise impacts associated with motorized vehicles, aircraft, and trains.

Consistency. The Specific Plan EIR evaluated the project's vehicle noise impact on area roadways and adjacent land uses and concluded that the increase in vehicle noise would not be significant. Therefore, the project is consistent with this policy.

GOAL N-3: Minimize non transportation-related noise impacts.

Policy N-3.1: Reduce the impacts of noise-producing land uses, activities, and businesses on noise-sensitive land uses.

Consistency. The Specific Plan EIR evaluated noise associated with development of the Specific Plan area and concluded that construction noise would be less than significant with implementation of a mitigation measure (NOI-1) that requires construction noise reduction measures to be implemented during construction activities. The EIR also concluded that noise associated with the equestrian training track, sports arena, and swim and tennis center would be mitigated to a less than significant level with implementation of measures (NOI-2 and NOI-3) that reduce noise associated with these activities. Therefore, the project is consistent with this policy.

Housing Element

GOAL H-2: Maintain a range of housing opportunities to address the existing and projected needs of the community.

Policy H-2.1: Maintain a variety of housing types, sizes, and prices throughout the City to increase housing choice and ensure that households of all types and income levels have the opportunity to find suitable ownership or rental housing.

Consistency. The Specific Plan would allow for up to 1,280 residential units, with an additional 256 units identified as “qualified worker lodging in a hotel format”. The 1,280 units would consist of the following: up to 880 single-family lots (including 26 detached courtyard homes), and up to 400 apartments (including student apartments). The 880 single-family lots range from about 2,500 square feet to about 7,000 square feet.

Residential projects within the Specific Plan are required to comply with Chapter 17.32 of the Seaside Municipal Code addressing affordable housing requirements. Residential projects shall provide at least 20 percent of the total units as inclusionary units restricted for occupancy by moderate-, low- or very low-income households. Twenty percent of the 880 single-family lots equal 176 units. One-third (59 units) would be for very-low income, one-third (59 units) would be for low income, and one-third (58) would be for moderate income.

The project includes a variety of housing types, sizes, and prices, including both ownership and rental opportunities and is therefore, consistent with this policy.

Policy H-2.2: Identify adequate sites with appropriate zoning and development standards to facilitate and encourage housing production commensurate with the projected housing needs of the City.

Consistency. The most recent Regional Housing Needs Allocation Plan was adopted by the Association of Monterey Bay Area Governments (AMBAG) Board of Directors on June 11, 2014. The allocation plan identifies the following allocation for the City of Seaside from 2014-2023:

Income Category	Seaside Housing Allocation
Very Low	95
Low	62
Moderate	72
Above Moderate	<u>164</u>
Total	393

As presented in the discussion regarding Policy H-2.1 above, the project would include 59 units in the very low income category, 59 units in the low income category, 58 units in the moderate income category and the balance (704) as market rate units.

As the project includes annexation of a large portion of the project site from unincorporated Monterey County into the city limits, the allocation plan for unincorporated Monterey County is also relevant. The allocation plan identifies the following allocation for unincorporated Monterey County from 2014-2023:

Income Category	Unincorporated Monterey County Housing Allocation
Very Low	374
Low	244
Moderate	282
Above Moderate	<u>651</u>
Total	1,551

The project would assist the City of Seaside and the County of Monterey with facilitating housing production commensurate with the projected housing needs of the City, as well as of the County. Therefore, the project would be consistent with this policy.

Policy H-2.3: Encourage the construction of high-density, well designed housing and residential- commercial mixed use projects.

Consistency. The project provides for the construction of up to 400 apartment units, including student housing and is a residential, commercial, and recreational mixed-use project. The Specific Plan includes architectural design guidelines, as well as development standards and landscape and grading standards to ensure development within the Specific Plan area is well designed. Therefore, the project is consistent with this policy.

Policy H-2.4: Maintain a geographic dispersal of units affordable to extremely low, very low, low, and moderate income households throughout the City.

Consistency. Residential projects within the Specific Plan are required to comply with Chapter 17.32 of the Seaside Municipal Code addressing affordable housing requirements. Residential projects shall provide at least 20 percent of the total units as inclusionary units restricted for occupancy by moderate-, low- or very low-income households. Twenty percent of the 880 single-family lots equal 176 units. One-third (59 units) would be for very-low income, one-third (59 units) would be for low income, and one-third (58) would be for moderate income. The locations of these units must meet the requirements of the ordinance and will be determined in the Disposition and Development Agreement. The project is consistent with this policy.

Policy H-2.6: Support the concept of “aging in place” by maintaining a range of housing types that allows people to remain in the community as their housing needs change.

Consistency. The project includes a variety of housing types including apartments, detached courtyard homes, and a variety of single-family lots sizes to accommodate a range of housing sizes. Therefore, the project is consistent with this policy.

Policy H-2.7: Ensure that new residential developments are adequately served by infrastructure, including water and sewer, park and recreation areas, libraries, transportation, public safety and other necessary community services.

Consistency. The City requires that adequate water and sewer service and the associated infrastructure be available for new development. While the Marina Coast Water District has indicated that there is currently not sufficient groundwater to serve the entire Specific Plan project, there is sufficient water available for approximately the first three phases. The City will require that sufficient water supplies be available prior to issuing building permits. The project includes sufficient park and recreation areas, as well as the necessary transportation infrastructure. Police service would be provided by the Seaside Police Department and fire services would be provided by either the Seaside Fire Department or the Monterey County Regional Fire District.

Policy H-2.8: Promote the use of green building techniques and materials for new residential development.

Consistency. Residential projects within the Specific Plan shall incorporate the current Title 24, Part 6, California Energy Efficiency Standards for Residential and Nonresidential Buildings, Title 24, Part 11, California Green Building Standards Code (CALGreen) requirements for low-rise residential apartments and dwellings. Additionally, the Specific Plan includes sustainability requirements in the development standards that address site design, construction sites, water conservation, equipment/appliances, indoor energy conservation, use of rapidly renewable construction resources, and water efficiency plumbing fixtures and appliances (Specific Plan Chapter 6). Therefore, the project is consistent with this policy.

Policy H-2.9: Encourage the use of universal design principles to facilitate the development of housing to accommodate residents of all abilities.

Consistency. The Specific Plan does not include any language or development standard that encourages universal design principles. Therefore, staff is recommending addition of a development standard encouraging universal design principles. With this modification, the project would be consistent with this policy.

Policy H-2.11: Encourage the use of master plan or specific plan as tools to facilitate development on Fort Ord.

Consistency. The project is on the former Fort Ord and a draft Specific Plan has been prepared as a tool to facility development consistent with the Fort Ord Base Reuse Plan and the Seaside General Plan. Therefore, the project is consistent with this policy.

CITY OF SEASIDE

ORDINANCE NO. XXX

ORDINANCE ADOPTING THE MONTEREY DOWNS AND MONTEREY HORSE PARK AND CENTRAL COAST VETERANS CEMETERY SPECIFIC PLAN

WHEREAS, on June 13, 1997, the Fort Ord Reuse Authority adopted the Fort Ord Base Reuse Plan, which identified the approximate 711-acre area now proposed as the Monterey Downs and Monterey Horse Park And Central Coast Veterans Cemetery Specific Plan (hereafter referred to as “Specific Plan”) as a development parcel and identified various land use designations including Business Park/Light Industrial Office/R&D, Low Density Residential, Military Enclave (Veterans Cemetery), Public Facility/Institutional, and Open Space Recreation; and,

WHEREAS, on August 5, 2004, the City of Seaside adopted a new General Plan that sets the course for land use and development for the City; and,

WHEREAS, the 2004 Seaside General Plan Land Use Policy Map (Figure LU-2) designates the portion of the project site currently within the city limits as High Density Residential and Park and Open Space (Veteran’s Cemetery); and,

WHEREAS, on December 10, 2004, the Fort Ord Reuse Authority made a consistency determination that the 2004 City of Seaside General Plan was consistent with the Fort Ord Reuse Plan, as required by FORA Master Resolution, Chapter 8; and,

WHEREAS, in December 2005, the Fort Ord Reuse Authority, the U.S. Department of the Army, the County of Monterey, Monterey Peninsula College, the U.S. Bureau of Land Management approved the East Garrison – Parker Flats Land Use Modification Memorandum of Understanding, which changed the land use designations within much of the Specific Plan Area located in unincorporated Monterey County to Monterey Horse Park, County Development Reserve, Veterans Cemetery, and Oak Woodland Habitat Reserve; and,

WHEREAS, on May 13, 2016, the Fort Ord Reuse Authority Board of Directors reaffirmed the land use designations identified in the Seaside General Plan and the East Garrison – Parker Flats Land Use Modification Memorandum of Understanding, some of which apply to the Specific Plan Area; and,

WHEREAS, the 2004 Seaside General Plan specifies that during redevelopment and revitalization activities, the City shall include zoning, development, and design standards that address signage, building facades, lighting, landscaping, and building color (Implementation Plan LU-2.4.1); and,

WHEREAS, the Specific Plan, which is attached hereto as [Exhibit A](#), and incorporated herein by reference, provides for up to 400 multi-family homes including student apartments on approximately 19 acres; up to 880 single-family homes including 26 detached courtyard homes on approximately 130 acres; up to 535,000 square feet of retail and commercial uses including two 200-room hotels on approximately 51 acres; an equestrian park on approximately 111 acres, an outdoor equestrian training track, indoor sports arena, and 256 worker lodging units on approximately 139 acres; the Veterans Cemetery with ancillary parcels on approximately 135 acres; approximately 20 acres reserved for public facilities including a proposed City corporation yard and fire station and a Marina Coast Water District existing water storage tank parcel; approximately 34 acres of internal streets; and the 73-acre Oak Oval open space/habitat reserve; and,

WHEREAS, the Specific Plan includes development criteria specific to the Plan area which implement and are consistent with the policies of the General Plan; and,

WHEREAS, the Specific Plan includes zoning district designations and maps that are specific to the planning area and will enable implementation of the Specific Plan consistent with the direction provided in the General Plan; and,

WHEREAS, a Final Subsequent Environmental Impact Report (Final SEIR) has been prepared for the proposed project; and,

WHEREAS, the Final SEIR analyzes the environmental impacts of the Project including, project; cumulative, growth-inducing and irreversible environmental impacts, identifies and analyzes mitigation measures intended to reduce environmental impacts, and considers alternatives to the project; and,

WHEREAS, on September 7, 2016, the City's Planning Commission held a duly public hearing where they took testimony, and thereafter deliberated on September 21, 2016 and acted to recommend that the City Council adopt the proposed General Plan Amendment, the Specific Plan, the related zoning map and zoning ordinance text amendments to the Seaside Municipal Code, and certify the related Subsequent Environmental Impact Report (SEIR) as prepared in compliance with the California Environmental Quality Act (CEQA), adopt findings pursuant to CEQA, adopt a Mitigation Monitoring and Reporting Program, and adopt a Statement of Overriding Considerations; and,

WHEREAS, the City Council held a duly noticed public hearing on October 13, 2016 to receive public testimony and consider certification of the Final SEIR, and adoption of the Specific Plan and concurrent amendments to the Seaside General Plan, and Title 17 of the Seaside Municipal Code and the Zoning Map; and,

WHEREAS, the City prepared the Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan Subsequent Environmental Impact Report (SEIR) in accordance with California Public Resources Code § 21000 et. seq., the California Environmental Quality Act, and the State CEQA Guidelines, 14 Cal. Code Regs. 15000 et seq.

(collectively “CEQA”). The Final SEIR is comprised of (1) the Draft SEIR dated March 2015 and all appendices thereto, (2) the Final SEIR Volumes I and II which consist of the public comments, responses to those comments, and revisions to the Draft SEIR, and (3) the Appendix to the Final SEIR. The City Council, by Resolution No. (Insert EIR Resolution No.), certified the Final SEIR on (add date) as adequately prepared in compliance with CEQA, adopted required CEQA findings, adopted the mitigation monitoring and reporting program, and adopted a statement of overriding considerations finding that the economic, social, and environmental benefits outweigh the significant and adverse environmental effects of the Project. The City Council hereby incorporates the findings and determinations made in Resolution No. [REDACTED] by reference, and relies on those findings for the adoption of this Ordinance, which is part of the project analyzed in the Final SEIR, and hereby imposes the mitigation measures as conditions on the Project approvals.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEASIDE DOES ORDAIN AS FOLLOWS:

Section 1. The City Council hereby adopts the Specific Plan, as set forth in [Exhibit A](#) attached hereto, subject to the specific revisions set forth in [Exhibit B](#), based on the following findings:

1. The Specific Plan complies with the requirements of California Government Code Section 65451.

Evidence: The Specific Plan contains diagrams and text that illustrate the distribution and extent of land uses, including open space, within the specific plan area;

Evidence: The Specific Plan contains component plans and textual references for the proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.;

Evidence: The Specific Plan contains standards and criteria by which development will proceed including provisions establishing building heights, locations and lot coverage, setbacks, screen and perimeter walls and landscaping, parking, vehicle ingress and egress, land uses and limitations, signage, and utilities;

Evidence: The Specific Plan contains implementation measures that will enable the City of Seaside to ensure that the development will proceed in accordance with the Specific Plan; and

2. The proposed adoption of the Specific Plan is consistent with applicable Goals, Policies, and Implementation Plans of the General Plan.

Evidence: The Specific Plan is consistent with Policy LU-1.2, which states “Encourage development that helps the City achieve a jobs/housing ratio of 1.5:1” in that it will

encourage development that helps the City improve their job/housing balance and move toward achieving a jobs/housing ratio of 1.5:1. According to AMBAG, in 2010, Seaside had 11,335 housing units and 7,790 jobs for a jobs/housing balance of 0.69:1. The project would add up to 1,280 housing units and approximately 2,758 jobs for a jobs/housing balance of 0.84:1;

Evidence: The Specific Plan is consistent with Policy LU-1.3, which states, “Encourage regional commercial and visitor-serving commercial development that will enhance the identity of Seaside and attract visitors to the community” as it allows for up to 775,000 square feet of commercial/retail uses and about 250 acres of equestrian-related and other recreational visitor-serving uses and therefore, will encourage regional commercial and visitor-serving commercial development that will enhance the identity of the City of Seaside and attract visitors;

Evidence: The Specific Plan is consistent with Policy LU-1.4, which states, “Provide for a variety of housing that complements the employment opportunities in the community”, as it would allow for up to 1,280 residential units. The 1,280 units would consist of the following: up to 880 single-family lots (including 26 detached courtyard homes), and up to 400 apartments (including student apartments). The 880 single-family lots range from about 2,500 square feet to about 7,000 square feet. The Specific Plan includes a variety of housing types and sizes, and therefore, various prices, and both ownership and rental opportunities;

Evidence. The Specific Plan is consistent with Policy LU-1.5, which states, “Provide for a large-scale commercial recreational facility” as it will provide for large-scale commercial recreational facilities: the Monterey Horse Park, and the equestrian training track (outdoor) and sports arena (indoor) complex. The Monterey Horse Park would be a non-profit equestrian facility that will host regional, state, national, and international events such as dressage, eventing, jumping, driving, vaulting, etc., the types of events one would see in the Summer Olympics. The equestrian training track would be a world-class thoroughbred training facility. The sports arena is a 6,500 seat venue for a wide variety of sporting and special events, such as ice hockey, basketball, semi-pro sports, trade shows, car shows, veteran’s events, and graduation ceremonies;

Evidence. The Specific Plan is consistent with Policy LU-4.1, which states, “Require that all new development: 1) funds its share of community services and facilities (e.g., parks, roads, trails, and utilities); 2) uses quality design and materials; and 3) is compatible with surrounding uses, the site, and available infrastructure” as the Specific Plan requires that development pursuant to the plan funds its share of community services and facilities. Additionally, the City will be negotiating a Disposition and Development Agreement for transfer of the property that also solidifies the requirements for the development to fund its share of community services and facilities. The Specific Plan includes a set of architectural design guidelines, development standards, and landscape and grading standards to ensure development uses quality design and materials. The SEIR evaluated the project’s compatibility (noise, safety, and other environmental issues) with surrounding land uses and concluded that there were no incompatibility impacts that could not be mitigated.

Development within the Specific Plan area will be required to connect to existing infrastructure and extend such infrastructure where necessary;

Evidence: The Specific Plan is consistent with Policy LU-5.1, which states “Review development proposals to ensure that adequate water supply, treatment, and distribution capacity is available to meet the needs of the proposed development without negatively impacting the existing community” in that water for development within the Specific Plan area will be supplied by the Marina Coast Water District. While there is currently only sufficient water supplies allocated to the City of Seaside and County of Monterey to serve approximately Phases I through III of the project, the water district is in the process of studying supplemental water supply options through a MOU with the FORA and the Monterey Regional Water Pollution Control Agency. The Specific Plan SEIR includes a mitigation measure that requires sufficient water supply be available prior to issuance of building permits. This mitigation measure will not allow development to proceed without assurance that water supply is available. The provision of water to the project by the water district will not affect water supply availability to the existing community;

Evidence. The Specific Plan is consistent with Policy LU-5.4, which states “Promote the use of recycled water for irrigation of parks, golf courses, and public landscaped areas in the community”, as it requires dual plumbing to accommodate recycled water delivery and use when it can be delivered to the Specific Plan area. The Marina Coast Water District is in the process of studying and planning for the use of recycled water for development on the former Fort Ord. The project will be designed to receive recycled water when it is available. The Marina Coast Water District estimates that the project could utilize 302.5 acre feet of recycled water per year;

Evidence. The Specific Plan is consistent with Policy UD-1.1, which states, “Enhance the City’s image and identity within the region’s natural setting” as it is an approximate 576-acre mixed-use upscale equestrian-themed village with commercial/retail, a variety of new housing, quality recreational facilities, and Veterans Cemetery ancillary facilities. The project would provide a variety of jobs and provide two staging areas for improved access to the Fort Ord Habitat Recreation Area lands and beyond to the Fort Ord National Monument. The project would enhance the City’s image and identity within the region’s natural setting;

Evidence. The Specific Plan is consistent with Policy UD-4.1, which states, “Encourage the provision of civic art into public and private development and redevelopment projects.” The draft Specific Plan does not address civic art; however, staff is recommending adding a landscape design principle and a landscape design standard that requires providing civic art in both public and private development projects pursuant to the Specific Plan. With the addition of this language in the Specific Plan, the project would encourage the provision of civic art into public and private development and redevelopment projects;

Evidence. The Specific Plan is consistent with Policy UD-4.3, which states, “Provide attractive community gathering places that meet the social, civic, cultural, and

recreational needs of the community” as it provides for development of attractive community gathering places that meet the social, civic, cultural, and/or recreational needs of the community. Planning Area C 2, “Country Walk” includes up to 330,000 square feet of outdoor shopping, entertainment, and hotel uses. The vision is for an open-air plaza designed be walkable and without automobiles. Facilities for hikers, bikers, equestrians, and dog-owners would connect Country Walk with the adjacent open space and trails network. A staging area will be located in the southern portion of Country Walk and will include a bike center, dog barn, horse tie up, barn/livery, and restrooms. Allowed uses include, but would not limited to restaurants, outdoor cafes, local proprietors, museums, small office spaces, a movie theatre, hotel, and a farmer’s market. Planning Area C-2 “Country Walk” is located immediately adjacent to Planning Area R-3, planned for multi-family residential projects. A tennis and swim center and a community park are planned for the Planning Area C-1 and smaller parks are located throughout the residential development. Other recreational opportunities within the Specific Plan include two staging areas to the onsite and offsite trail system, an equestrian park, and a sports arena. Associated with the Veterans Cemetery, the Specific Plan includes two separate parcels, totaling 5 acres, designated for cemetery ancillary uses. Permitted uses include cultural and nondenominational facilities, assembly facilities, and trails. Sports fields are planned for the in-field of the equestrian training track. Finally, the Specific Plan allows for development of a new City corporation yard, as well as a fire station, if determined to be necessary;

Evidence. The Specific Plan is consistent with Policy ED-1.1, which states, “Encourage the full and efficient use of vacant and underutilized parcels in appropriately designated areas to support the development and expansion of targeted industrial and commercial facilities” as the project site is vacant and underutilized and is designated as development parcels in the Fort Ord Base Reuse Plan, as well as in the City of Seaside and County of Monterey general plans. The Specific Plan provides for a diverse mix of businesses that will generate a stream of revenue to fund city services. The Specific Plan allows for up to 330,000 square feet of outdoor shopping, entertainment, and hotel uses (C-1 Planning Area) and up to 205,000 square feet (26.9 acres) for commercial, office, and business traveler hotel uses (C-2 Planning Area). The Specific Plan also includes provisions for a sports arena, equestrian training track, and an equestrian park. Therefore, the Specific Plan supports the development of commercial facilities;

Evidence. The Specific Plan is consistent with Policy ED-5.1, as it provides for land to develop regional- and visitor-serving businesses: 50.9 acres for retail/commercial uses (up to 535,000 square feet); a 110.7-acre equestrian park, and a 138.7-acre equestrian training track and sports arena, as well as two staging areas encouraging local and visitor use of the trail system in the adjacent habitat reserve (Fort Ord Recreational Habitat Area) and further to the Fort Ord National Monument. The fiscal and economic impact analysis prepared for the Specific Plan projects that development within the Specific Plan area will employ approximately 2,758 persons on site, with approximately 1,743 non-equestrian jobs and approximately 700 equestrian jobs. These numbers do not include short-term construction jobs;

Evidence. The Specific Plan is consistent with Policy ED-5.2, which states, “Highlight cultural events and attractions in Seaside to help project a high quality of life image to potential visitors and business prospects,” as it provides for the development of facilities that would accommodate cultural events and attractions to help project a high quality of life image to potential visitors and business prospects. They include a 110.7-acre equestrian park, and a 138.7-acre equestrian training track and sports arena (to be used for a variety of community and cultural events), as well as two staging areas encouraging local and visitor use of the trail system in the adjacent habitat reserve (Fort Ord Recreational Habitat Area) and further to the Fort Ord National Monument. The project also includes 5 acres of uses ancillary to the Veterans Cemetery. Permitted uses include cultural and nondenominational facilities, assembly facilities, and trails;

Evidence. The Specific Plan is consistent with Policy ED-7.1, which states “Support job training for skilled labor through City- and employer-sponsored training or continuing educational programs,” as it provides for opportunities for job training for skilled labor. Specific Plan educational policy ED-1 states, “Assist local colleges in developing new educational opportunities in the animal sciences fields. The Monterey Horse Park (Planning Area Rec-1) will be available to a variety of educational groups such as high school Future Farmers of America (FFA), at risk youth programs and college students pursuing careers in the equine field. Facilities will also be available for sporting events run by local schools and youth organizations. The equestrian training track (Planning Area Rec-2) will provide internship and job opportunities for students in the animal science fields”;

Evidence. The Specific Plan is consistent with Policy C-1.5, which states, “Use traffic calming methods within residential and mixed use areas where necessary to create a pedestrian-friendly circulation system,” as traffic calming mechanisms are integrated into the Specific Plan’s overall circulation design. These features also provide for additional landscaping, which help to soften the streetscape. The Specific Plan preferred traffic calming mechanisms are traffic circles with compatible landscaping and signage in their centers. In addition, bulb-outs with enhanced intersection and mid-block paving will delineate pedestrian cross-walks, reduce the time needed to cross the street, and further define the pedestrian space;

Evidence. The Specific Plan is consistent with Policy C-3.3, which states, “Promote mixed use, higher density residential, and employment-generating development in areas where public transit is convenient and desirable,” as it provides for a mix of a variety of medium and high residential densities, as well as employment-generating and recreational development, and provides for at least one transit stop in the center of the project. The project is a mixed use, higher density residential and employment-generating project;

Evidence. The Specific Plan is consistent with Policy C-3.4, which states, “Support alternative modes of transportation that encourage physical activity, such as biking and walking,” as it includes approximately 4 miles of internal trails (pedestrian, biking, and equestrian), and two staging areas for increased access to the adjacent

habitat reserve (Fort Ord Habitat Recreational Area) and beyond to the Fort Ord National Monument and therefore, support alternative modes of transportation that encourage physical activity, such as biking and walking;

Evidence. The Specific Plan is consistent with Policy C-4.2, which states, “Support the development of well-designed and aesthetically pleasing parking facilities in areas where current parking deficiencies exist or where substantial traffic generating uses are planned,” as it allows for uses (equestrian training track and sports arena, equestrian park, and the County Walk retail/commercial area) that are expected to generate substantial traffic when special events occur, and therefore, parking structures associated with these facilities would likely be proposed and are an allowed use in the Specific Plan. The Specific Plan includes architectural guidelines that address form, height and massing; façade, features and details; materials and colors; roofs; utilities and mechanical equipment; and service, loading and storage areas. Parking facilities proposed within the Specific Plan area will be required to comply with the architectural guidelines and as with all development design, will be subject to review and approval by the City;

Evidence. The Specific Plan is consistent with Policy COS-1.1, which states, “Provide a variety of well-maintained public parks and recreational facilities for Seaside residents,” provides for a variety of public parks and recreational facilities for Seaside residents. They include 12.7 acres of parks (mini, neighborhood, and community), 91 acres of open space (Oak Oval) and linear park preserve, approximately 4 miles of trails, two staging areas for increased access to the adjacent habitat reserve (Fort Ord Habitat Recreational Area) and beyond to the Fort Ord National Monument, an equestrian park, an equestrian training track and sports arena, and a swim and tennis center;

Evidence. The Specific Plan is consistent with Policy COS-1.3, which states, “Maximize pedestrian, transit, and bicycle access to parks and other local and regional activity centers as an alternative to automobile access,” as it provides for retail/commercial and equestrian recreational opportunities would be regional activity centers. The Specific Plan provides for 12.7 acres of parks (mini, neighborhood, and community), 91 acres of open space (Oak Oval) and linear park preserve, approximately 4 miles of trails, two staging areas for increased access to the adjacent habitat reserve (Fort Ord Habitat Recreational Area) and beyond to the Fort Ord National Monument, an equestrian park, and an equestrian training track and sports arena. The Specific Plan also provides for at least one transit stop, centrally located within the Specific Plan area;

Evidence. The Specific Plan is consistent with Policy COS-2.3, which states, “Participate in and implement local and regional programs that promote water conservation as a means of improving water supply and water,” as it promotes water conservation by including sustainability requirements in the development standards that address, among other things, water conservation efforts including water efficiency plumbing fixtures and appliances, and landscaping that minimizes the need for irrigation;

Evidence. The Specific Plan is consistent with Policy COS-3.1, which states, “Eliminate long-term groundwater overdrafting as soon as feasible,” as development within the Specific Plan will be required to install the purple piping required for recycled water for use when recycled water supplies are available. The Marina Coast Water District, in cooperation with FORA and the Monterey Regional Water Pollution Control Agency, is in the process of studying and developing supplemental water supplies to provide sufficient water to projects on the former Fort Ord, including but not limited to development of the project site. Supplemental water supplies are also planned in an effort to reduce impacts to groundwater supplies in the Salinas Valley Groundwater Basin, as well as to provide sufficient water for full implementation of the Fort Ord Base Reuse Plan. The City of Seaside is a member agency of both FORA and the Monterey Regional Water Pollution Control Agency and therefore, supports the agencies in the quest to develop supplemental water supplies and reduce groundwater overdrafting;

Evidence. The Specific Plan is consistent with Policy COS-4.1, which states, “Preserve ecological and biological resources by maintaining these resources as open space,” as the Specific Plan parcels, with the exception of the Oak Oval, are identified as development parcels in the Fort Ord Reuse Plan and the Fort Ord Habitat Management Plan (HMP). The HMP identifies and protects the most sensitive biological resources; i.e. those plant and wildlife species that are considered rare, threatened, or endangered. Fort Ord developers pay a FORA impact fee that, among other things, provides funding to maintain the sensitive resources protected by the HMP. Additionally, the Specific Plan land use plan includes a Firewise Overlay, which consists of a 200-foot buffer, along all of the internal (Oak Oval) and adjacent property identified as Fort Ord Recreational Habitat Area, which is protected by the HMP. Therefore, the Specific Plan preserves these ecological and biological resources by maintaining these resources as open space;

Evidence. The Specific Plan is consistent with Policy COS-4.3, which states, “Encourage the preservation and enhancement of oak woodland elements in the natural and built environments,” as the Specific Plan preserves the 73-acre on-site oak woodland (Oak Oval), consistent with the Base Reuse Plan and the Fort Ord Habitat Management Plan. The SEIR concluded that the loss of oak woodland would result in both visual and biological significant and unavoidable impacts. Development of the Specific Plan area would result in the elimination of approximately 315 acres (approximately 77 percent) of the Project site’s coast live oak woodland habitat. The SEIR contains a mitigation measure (BIO-16) that requires habitat restoration efforts and creation of a conservation easement and/or participation in a mitigation bank or fee program to conserve oak woodlands. Therefore, the project site is a development parcel in the Fort Ord Base Reuse Plan, substantial mitigation is required, and the project is consistent with the Fort Ord Habitat Management Plan, and is consistent with this policy;

Evidence. The Specific Plan is consistent with Policy COS-7.1, which states, “Participate in local, regional, and State programs that promote energy

conservation,” as all development within the Specific Plan is required to incorporate the current Title 24, Part 6, California Energy Efficiency Standards for Residential and Nonresidential Buildings, Title 24, Part 11, California Green Building Standards Code (CALGreen) requirements for low-rise residential apartments and dwellings. Additionally, the Specific Plan includes sustainability requirements in the development standards that address site design, construction sites, water conservation, equipment/appliances, indoor energy conservation, use of rapidly renewable construction resources, and water efficiency plumbing fixtures and appliances;

Evidence. The Specific Plan is consistent with Policy H-2.1, which states, “Maintain a variety of housing types, sizes, and prices throughout the City to increase housing choice and ensure that households of all types and income levels have the opportunity to find suitable ownership or rental housing”, as it would provide for a variety of housing types, sizes, and prices to increase housing choice and ensure that households of all types and income levels have the opportunity to find suitable ownership or rental housing. The Specific Plan allows for up to 1,280 residential units, with an additional 256 units identified as “qualified worker lodging in a hotel format”. The 1,280 units would consist of the following: up to 880 single-family lots (including 26 detached courtyard homes), and up to 400 apartments (including student apartments). The 880 single-family lots range from about 2,500 square feet to about 7,000 square feet. Residential projects within the Specific Plan are required to comply with Chapter 17.32 of the Seaside Municipal Code addressing affordable housing requirements. Residential projects shall provide at least 20 percent of the total units as inclusionary units restricted for occupancy by moderate-, low- or very low-income households. Twenty percent of the 880 single-family lots equal 176 units. One-third (59 units) would be for very-low income, one-third (59 units) would be for low income, and one-third (58) would be for moderate income;

Evidence. The Specific Plan is consistent with Policy H-2.2, which states, “Identify adequate sites with appropriate zoning and development standards to facilitate and encourage housing production commensurate with the projected housing needs of the City,” as it provides for planning areas with appropriate zoning and development standards to facilitate and encourage housing production commensurate with the projected housing needs of the City. The most recent Regional Housing Needs Allocation Plan was adopted by the Association of Monterey Bay Area Governments (AMBAG) Board of Directors on June 11, 2014. The allocation plan identifies the following allocation for the City of Seaside from 2014-2023:

<i>Income Category</i>	<i>Seaside Housing Allocation</i>
Very Low	95
Low	62
Moderate	72
Above Moderate	164
Total	393

As presented in the discussion regarding Policy H-2.1 above, the project would include 59 units in the very low income category, 59 units in the low income category, 58 units

in the moderate income category and the balance (704) as market rate units. As the project includes annexation of a large portion of the project site from unincorporated Monterey County into the city limits, the allocation plan for unincorporated Monterey County is also relevant. The allocation plan identifies the following allocation for unincorporated Monterey County from 2014-2023:

<i>Income Category</i>	<i>Unincorporated Monterey County Housing Allocation</i>
<i>Very Low</i>	<i>374</i>
<i>Low</i>	<i>244</i>
<i>Moderate</i>	<i>282</i>
<i>Above Moderate</i>	<i>651</i>
<i>Total</i>	<i>1,551</i>

The project would assist the City of Seaside and the County of Monterey with facilitating housing production commensurate with the projected housing needs of the City, as well as of the County;

Evidence. The Specific Plan is consistent with Policy H-2.3, which states, “Encourage the construction of high-density, well designed housing and residential- commercial mixed use projects,” as it provides for the construction of high-density, well designed housing and residential-commercial mixed use projects. The Specific Plan provides for the construction of up to 400 apartment units, including student housing and is a residential, commercial, and recreational mixed-use project. The Specific Plan includes architectural design guidelines, as well as development standards and landscape and grading standards to ensure development within the Specific Plan area is well designed;

Evidence. The Specific Plan is consistent with Policy H-2.4, which states, “Maintain a geographic dispersal of units affordable to extremely low, very low, low, and moderate income households throughout the City,” as it provides for units affordable to very low, low, and moderate income households. Residential projects within the Specific Plan are required to comply with Chapter 17.32 of the Seaside Municipal Code addressing affordable housing requirements. Residential projects shall provide at least 20 percent of the total units as inclusionary units restricted for occupancy by moderate-, low- or very low-income households. Twenty percent of the 880 single-family lots equal 176 units. One-third (59 units) would be for very-low income, one-third (59 units) would be for low income, and one-third (58) would be for moderate income. The locations of these units must meet the requirements of the ordinance and will be determined in the Disposition and Development Agreement;

Evidence. The Specific Plan is consistent with Policy H-2.6, which states, “Support the concept of “aging in place” by maintaining a range of housing types that allows people to remain in the community as their housing needs change,” supports the concept of “aging in place” by providing for a range of housing types that allow people to remain in the community as their housing needs change. The Specific Plan includes a variety of housing types including apartments, detached courtyard homes, and a variety of single-family lots sizes to accommodate a range of housing sizes;

Evidence. The Specific Plan is consistent with Policy H-2.11, which states, "Encourage the use of master plan or specific plan as tools to facilitate development on Fort Ord," as it is a Specific Plan to facilitate development on Fort Ord. The Specific Plan area is on the former Fort Ord and a draft Specific Plan has been prepared as a tool to facility development consistent with the Fort Ord Base Reuse Plan and the Seaside General Plan;

Section 2. The Specific Plan adopted by this Ordinance No. ____ shall become effective upon the effective date of this Ordinance for those properties currently within the City's jurisdiction, and shall become effective as to that part of the Specific Plan Area that is currently outside of the City's boundaries only upon annexation of that area to the City of Seaside.

Section 3. Indemnification Agreement Required. The applicant for the Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan, Monterey Downs, LLC ("Applicant"), shall enter into an Indemnification Agreement with the City of Seaside agreeing to, at its own expense and with counsel selected by the City, fully defend, indemnify and hold harmless City, its officials, officers, employees, consultants, contractors, legal counsel, and agents ("Indemnified Parties"), from and against any and all claims, suits, causes of action, fines, penalties, proceedings, damages, injuries or losses of any name, kind or description, specifically including attorney's fees, ("Liabilities"), arising in any way out of the City's approval of this Ordinance or any other action of the City related to the Specific Plan. Applicant's indemnification obligation shall include, but not be limited to, actions to attack, set aside, void, or annul the City's approval of the Specific Plan and related actions, and Liabilities premised on, related to, or invoking Planning and Zoning Law or the California Environmental Quality Act (CEQA), including those arising out of the City's decisions related to the Project's CEQA documents. Applicant's indemnification obligations shall not be limited to the amount of insurance coverage that may be available to Applicant, and shall not otherwise be restricted or confined by the presence or absence of any policy of insurance held by the City or Applicant. Applicant's indemnification obligations as required herein, and as memorialized in the indemnification agreement, shall survive the completion or abandonment of the Project, including the situation where the approvals of other permitting agencies are not granted. The provisions of the indemnification agreement shall be drafted, interpreted, and construed to provide the fullest protection possible under law to the City. Further, all obligations and Liabilities under the indemnification agreement shall be paid by the Applicant as they are incurred. The indemnification agreement shall be in a form and substance as approved by the City Attorney, and shall be executed prior to the Effective Date of this Ordinance. The City Council hereby authorizes the City Manager to execute the indemnification agreement meeting the minimum requirements set forth herein.

Section 4. The City Clerk shall certify to the adoption of this Ordinance and shall, within fifteen (15) days after passage, publish a summary of this Ordinance in accordance with Section 36933 of the Government Code of State of California with the names of City Council members voting for and against it.

INTRODUCED at a special meeting of the City Council of the City of Seaside on the ____ day of ____, 2016, and

PASSED AND ADOPTED by the City Council of the City of Seaside at a regular meeting of the City Council on the ____ day of ____, 2016, by the following roll call vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

APPROVED:

Ralph Rubio, Mayor

ATTEST:

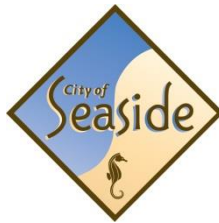
Lesley Milton-Rerig, City Clerk

Exhibit A – Specific Plan

Exhibit B – Revisions to Specific Plan

MONTEREY DOWNS AND MONTEREY HORSE PARK AND CENTRAL COAST VETERANS CEMETERY SPECIFIC PLAN

Prepared For



The City of Seaside
440 Harcourt Avenue
Seaside, CA 93955
831.899.6825

Prepared By



Diamond West, Incorporated
Under contract to Monterey Downs, LLC
24005 Ventura Boulevard, Suite 100
Calabasas, CA 91302
818.444.1800

ACKNOWLEDGEMENTS

The Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan was prepared by Diamond West, Incorporated in association with KTG Architects, Bellinger Foster Steinmetz Landscape Architecture Inc., Pacific Crest Engineering Inc., Whitson Engineers, and Monterey Downs, LLC.

The City of Seaside oversaw the development of this Specific Plan.

City Council Members

Mayor Ralph Rubio
Mayor Pro Tem Ian Oglesby
Council Member Dennis Alexander
Council Member Jason Campbell
Council Member David R. Pacheco
Former Council Member Alvin Edwards

City Manager and Staff

John Dunn – City Manager
Diana Ingersoll, P.E. – Deputy City Manager-Resource Management Services
Lisa Brinton – Community and Economic Development Services Manager
Tim O'Halloran, P.E. – City Engineer/Public Works Services Manager
Brian Dempsey – Fire Chief
Vicki L. H. Myers – Chief of Police
Rick Riedl, P.E. Senior Civil Engineer
Scott Ottmar, Assistant Civil Engineer

City Staff Consultants

EMC Planning Group
301 Lighthouse Avenue, Suite C
Monterey, CA 93940

City EIR Consultant

RBF Consulting
14725 Alton Parkway
Irvine, CA 92618-2027

Table of Contents

Table of Contents	iii
Chapter 1 - Introduction	1-1
1.1 Vision and Goals	1-1
1.2 Specific Plan Policies and Implementation	1-2
1.2.1 Economic Policies and Implementation	1-2
1.2.2 Educational Policies	1-2
1.2.3 Environmental Policies	1-3
1.2.4 Veterans Cemetery Policies.....	1-5
1.3 Background.....	1-5
1.3.1 Site Location.....	1-5
1.3.2 Site History	1-5
1.3.3 Site Remediation	1-6
1.4 Project Description	1-6
1.5 Regulatory Framework.....	1-13
1.5.1 Plan Consistency	1-13
1.5.2 Fort Ord Base Reuse Plan	1-14
1.5.3 Monterey County General Plan	1-25
1.5.4 City of Seaside General Plan	1-25
1.6 Authority and Scope.....	1-26
1.6.1 State Authority	1-26
1.6.2 City of Seaside Authority	1-26
1.6.3 FORA Consistency	1-26
1.6.4 Local Agency Formation Commission Authority.....	1-31
1.6.5 CEQA Compliance.....	1-31
1.7 Specific Plan Organization	1-32
Chapter 2 - Land Use Plan	2-1
2.1 Introduction	2-1
2.2 Land Use Concept	2-1
2.2.1 Planning Areas	2-2
2.2.2 Location and Characteristics of Planning Areas	2-2
2.2.3 Parks, Open Space, Trails and Recreation	2-14

2.3 Land Use Consistency	2-17
2.4 Land Use Regulation	2-17
2.4.1 Summary	2-17
2.4.2 Planning Area Specifications	2-17
2.5 Land Use Flexibility	2-17
2.5.1 Transfer of Acreages and Densities Between Land Uses	2-17
2.5.2 Permitted Uses	2-18
Chapter 3 - Circulation Plan	3-1
3.1 Introduction	3-1
3.2 Summary of Existing Vehicular Access	3-1
3.3 Planned Vehicular Circulation	3-1
3.3.1 FORA Capital Improvement Program (CIP)	3-1
3.3.2 Other Planned Roadways	3-2
3.4 Street Design	3-9
3.4.1 Eastside Parkway	3-10
3.4.2 Eastside Parkway (Optional Section)	3-11
3.4.3 Parker Flats Road	3-12
3.4.4 Parker Flats Cutoff	3-13
3.4.5 Monterey Downs Road (Formally 8 th Street)	3-14
3.4.6 Neighborhood Streets	3-15
3.4.7 Neighborhood Lanes	3-16
3.4.8 Neighborhood Entry Street	3-17
3.4.9 Private Neighborhood Streets and Lane Design Standards	3-18
3.5 Regional Pedestrian Circulation & Trails Planning	3-21
3.5.1 Proposed Multi-Use Trail Circulation Plan	3-21
3.6 Public Transportation System	3-22
Chapter 4 - Public Facilities and Services	4-1
4.1 Introduction	4-1
4.2 Domestic Water	4-1
4.3 Reclaimed Water	4-2
4.4 Wastewater	4-5
4.5 Stormwater	4-6
4.6 Gas	4-13

4.7 Electric	4-13
4.8 Telephone	4-13
4.9 Data	4-13
4.10 Police, Fire and Emergency Services	4-14
4.11 Schools	4-14
Chapter 5 - Architectural Design Guidelines	5-1
5.1 Introduction	5-1
5.2 Residential Design Guidelines (RES-1, RES-2, RES-3 & RM Planning Areas)	5-1
5.2.1 Architectural Styles	5-1
5.2.2 General Architectural Guidelines	5-27
5.3 Commercial Architectural Design Guidelines (C-2 Planning Area)	5-29
5.3.1 Western Architectural Style	5-29
5.3.2 General Architectural Guidelines	5-35
5.4 Hotels and Office Park Architectural Guidelines(C-1 Planning Areas)	5-37
5.4.1 Architectural Styles	5-37
5.4.2 General Architectural Guidelines	5-42
5.5 Horse Park, Training Track (with stands) and Sports Arena Architectural Design Guidelines (Rec-1 & Rec-2 Planning Areas)	5-44
Chapter 6 - Development Standards	6-1
6.1 Introduction	6-1
6.2 Definitions	6-2
6.3 Sustainability Requirements	6-2
6.3.1 All Developments	6-2
6.3.2 All Residential Development	6-3
6.3.3 Single-Family Detached Housing	6-4
6.3.4 Multi-family Development	6-4
6.3.5 Equestrian Facilities	6-5
6.4 Lot and Building Requirements	6-5
Chapter 7 - Landscape and Grading Standards	7-1
7.1 Introduction	7-1
7.2 Landscape Design Principles	7-1
7.3 Conceptual Landscape Planning	7-2
7.3.1 Streetscapes	7-2
7.3.2 Parks and Open Space	7-3

7.4 Landscape Standards	7-15
7.4.1 General Guidelines	7-15
7.4.2 Service Areas and Refuse Enclosures	7-16
7.4.3 Walls and Fences.....	7-16
7.4.4 Paving	7-17
7.4.5 Irrigation.....	7-17
7.4.6 Landscape Maintenance	7-18
7.5 Lighting Standards.....	7-18
7.5.1 Exterior Lighting.....	7-19
7.6 Parking Lot Design Standards.....	7-20
7.7 Grading Standards	7-20
 CHAPTER 8 - IMPLEMENTATION	8-1
8.1 Introduction	8-1
8.2 Phasing	8-1
8.3 Development Review and Approval Process	8-2
8.3.1 Tentative Map Review	8-2
8.3.2 Amendment Procedures	8-2
8.3.3 Development Review and Application Procedures	8-8
8.4 Summary of Infrastructure Improvement Responsibilities	8-10
8.4.1 Transportation	8-11
8.4.2 Water and Wastewater.....	8-12
8.4.3 Existing Water Tank Site	8-12
8.4.4 Electrical Service	8-12
8.4.5 Gas Service	8-12
8.4.6 Phone Service.....	8-13
8.4.7 Data/Cable Service.....	8-13
8.4.8 Public Facilities.....	8-13
8.4.9 Trails	8-13
8.4.10 Park.....	8-14
8.5 Infrastructure Financing Mechanisms.....	8-14
8.5.1 FORA Community Facilities District	8-14

8.5.2 Other Financing Mechanisms.....8-14

8.5.3 Special Assessment District8-14

8.5.4 Mello-Roos Community Financing District8-15

8.5.5 Integrated Financing District.....8-15

8.5.6 Community Facilities District (CSD)8-16

8.6 Impact Fees8-16

LIST OF TABLES

Table 2.1 – Land Use Summary	2-19
Table 2.2 – Permitted Uses	2-21
Table 5.1 - Single Family Detached Residential Design Matrix	5-21
Table 5.2 – Single Family Detached Cluster Residential Design Matrix	5-23
Table 5.3 – Multi-Family Residential / Campus Housing Design Matrix	5-25
Table 6.1 – Residential Lot and Building Requirements	6-6
Table 6.2 – Commercial and Mixed Use Lot and Building Requirements	6-10
Table 6.3 – Recreational Lot and Building Requirements	6-13
Table 8.1 – Implementation Matrix	8-19

LIST OF FIGURES

Figure 1.1 – Regional Map	1-7
Figure 1.2-Aerial Photo and Boundary	1-9
Figure 1.3-ESCA Clean Up Map.....	1-11
Figure 1.4-Existing Jurisdictional Boundary	1-15
Figure 1.5-Proposed Jurisdictional Boundary	1-17
Figure 1.6-Habitat Management Plan	1-19
Figure 1.7-1997 Base Reuse Plan Land Use Designations.....	1-21
Figure 1.8- BRP Land Use Concept (2012 Draft)	1-23
Figure 1.9-Existing Land Use Designations County Monterey.....	1-27
Figure 1.10-Existing Land Use Designations City of Seaside	1-29
Figure 2.1-CCVC Implementation Illustrative Plan.....	2-3
Figure 2.2-Land Use Plan.....	2-5
Figure 2.3- Monterey Downs and Horse Park Illustrative Plan	2-7
Figure 3.1-Existing Major Roads	3-3
Figure 3.2-FORA Capital Improvement Program Projects	3-5
Figure 3.3-Primary Circulation Network with Signaled Intersections	3-7
Figure 3.4a-Existing Trails & Proposed FORHA Trails	3-23
Figure 3.4b-Existing Trails & Proposed FORHA Trails	3-25
Figure 3.5-Proposed Trail Locations	3-27

Figure 3.6-Multi-Use Trail Design Standards 3-29

Figure 3.7-Natural Trail Design Standards 3-30

Figure 3.8-Existing and Proposed Transit Routes 3-41

Figure 4.1-Proposed Backbone Domestic Water Improvements 4-3

Figure 4.2-Proposed Backbone Reclaimed Water Improvements 4-7

Figure 4.3-Proposed Backbone Wastewater Improvements 4-9

Figure 4.4-Proposed Backbone Stormwater Improvements 4-11

Figure 6.1-Plot Plan Concepts 6-15

Figure 6.2-Plot Plan Concepts 6-17

Figure 7.1-Conceptual Landscape Planting Palette – Trees and Shrubs 7-5

Figure 7.2-Conceptual Landscape Planting Palette – Groundcovers and Grasses 7-7

Figure 7.3-Streetscape Planting Concepts 7-9

Figure 7.4-Traffic Circle Landscape Concepts 7-11

Figure 7.5-Paseo Landscape Concept 7-13

Figure 8.1-Proposed Phasing Plan 8-3

Figure 8.2-Implementation Responsibility 8-5

This side intentionally left blank

Introduction

1.1 Vision and Goals

The vision of the Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan (the Specific Plan) is a new vibrant mixed-use village consistent with the design principles outlined in the Fort Ord Base Reuse Plan (BRP). At its core, the Specific Plan balances nature and recreation with everyday living.

The Specific Plan expands access to unparalleled outdoor recreational opportunities and preserves sensitive environmental habitats while establishing a mixture of internationally respected equestrian-oriented event centers, quality homes, job-generating entertainment, commercial, office and cultural uses, and neighborhood shopping opportunities. The Specific Plan also celebrates the area's cultural heritage by integrating the Central Coast Veterans Cemetery (CCVC). Finally, the Specific Plan expands public services and infrastructure in the region by providing land for the development of a new City of Seaside Fire Station and Public Works Corporate Yard.

The Specific Plan extends benefits far beyond its boundaries through the following Goals:

- 1) Creating a walkable, vibrant, mixed-use equestrian-themed village with jobs, housing, recreation and a Veterans Cemetery.
- 2) Building upon the Base Reuse Plan cornerstones of economics, education, and the environment, while honoring our veterans and the former Fort Ord military history.
- 3) Producing thousands of permanent jobs, plus hundreds of construction jobs.
- 4) Helping to amplify Monterey Bay as a premier destination for recreational tourism generating millions of dollars in estimated annual tax revenue, and creating tens of millions of dollars in annual gross revenues from retail, hotel, and weekly events.
- 5) Providing educational opportunities through access to state of the art equipment and labs.
- 6) Providing a recreational gateway to the Fort Ord National Monument.
- 7) Preserving, restoring and incorporating native habitats adjacent to and within the Specific Plan.

1.2 Specific Plan Policies and Implementation

1.2.1 Economic Policies and Implementation

EC-1. Provide a robust job base within office, hospitality, retail and recreation sectors.

- There is over 800,000 square feet of commercial, office and recreational space proposed which will offer a variety of jobs and business opportunities. According to the Monterey Downs Fiscal and Economic Impact Analysis, the Monterey Downs portion of the Specific Plan will produce (at build-out) 2,758 jobs.

EC-2. Strong tourism and recreational opportunities by providing venues for a number of visitor serving uses.

- Planning Area C-2, "Country Walk" includes 330,000 square feet of shopping, entertainment, and hotel uses.
- Planning Area C-1 provides for tennis and swim facilities and a hotel.
- The equestrian facilities and sports arena located in Planning Area Rec-1 and Rec-2 will provide venues for equestrian events, festivals, pro and semi-pro sports, fairs and a variety of local and regional shows and events.
- Equestrian facilities in Planning Area-2 will provide for world-class equestrian events.

- Two staging areas within the C-2 and Rec-1 Planning Area, along with a vast internal trails network, will provide ideal amenities for hikers, bikers and equestrians visiting the Fort Ord National Monument and surrounding open space and trail system.

EC-3. Annual tax revenues to help expand government services in the region.

- The Specific Plan has been carefully designed to incorporate a variety of uses that generate a healthy tax base. According to the Monterey Downs Fiscal and Economic Impact Analysis, the Specific Plan, at build-out, will generate a fiscal surplus to the City of Seaside of more than \$1 million annually.

EC-4. A variety of housing types.

- 1,280 total residential units including apartments, courtyard homes and a range of single family homes are included in the Specific Plan.
- 256 qualified worker lodging units are provided that will cater to workers and their families, particularly for those working at the Training Track located within the Rec-2 Planning Area.

1.2.2 Educational Policies

ED-1. Assist local colleges in developing new educational opportunities in the animal sciences fields.

- The Monterey Horse Park (Planning Area Rec-1) will be

CHAPTER 1 – Introduction

available to a variety of educational groups such as high school Future Farmers of America (FFA), at risk youth programs and college students pursuing careers in the equine field. Facilities will also be available for sporting events run by local schools and youth organizations (2.2.2 Location and Characteristics of Planning Areas, Recreation 1).

- The Training Track (Planning Area Rec-2) will provide internship and job opportunities for students in the animal science fields.

ED-2. Provide retail and commercial job opportunities including part-time jobs that may be appropriate for high school and college students.

- The 330,000 square foot commercial center within the C-2 Planning Area and Office and Hotel uses in the C-1 Planning Area will offer a variety of employment opportunities at various skill levels. Additionally, the horse facilities in the Rec-1 and Rec-2 Planning Areas will offer an assortment of jobs.

ED-3. Provide housing types suitable for college students and faculty.

- The Specific Plan offers a variety of housing choices including apartments, courtyard homes, and various styles of single family residences within biking distance or a short drive to CSUMB.

1.2.3 Environmental Policies

EV-1. Achieve consistency with the Habitat Management Plan and the Habitat Conservation Plan developed as part of the Base Reuse Plan.

- The project includes the preservation of approximately 72.5 acres of land dedicated as open space in the area known as the "Oak Oval."
- A Firewise Overlay (FW-O) has been established to address the location of structures, materials to be used for construction, fuel breaks and emergency ingress and egress.

EV-2. Preserve, restore and incorporate native habitats into the community's open space network.

- More than 100 acres of open space and parks are planned within the project.
- The Linear Park Preserve Overlay zones will contain a combination of native habitat preservation, native habitat restoration, and multi-use trails (3.5.1, Propose Multi-use Trail Circulation Plan).

EV-3. Create landscape buffers around the community that help transition from the urban habitat/ecosystem to the native habitat/ecosystem.

- Open space buffers (Linear Park Preserve Overlay) will be provided along major roads, such as Eastside Parkway and Parker Flats Road to provide scenic routes and transitions between the developed and rural zones.

- Firewise Overlays are provided along the eastern boundary of the Specific Plan and around the Open Space Planning Area that will help transition to open space areas.

EV-4. Encourage non-motorized and multi-modal transportation opportunities, especially bicycle, pedestrian, equestrian, and public transportation by providing a mix of uses, interconnected streets, and convenient access to public transportation.

- The Specific Plan provides both residents and visitors with safe, close connections between residential, and commercial and recreational areas. Parks are also spread throughout the residential communities and are connected by a paseo network (2.2, Land Use Concept).
- Regional trail connections through the project sites and to the surrounding open space areas are established via trails and Class I and Class II bike lanes (3.5 Regional Pedestrian Circulation & Trails Planning).
- The goal of the public transit system is to have a bus stop located within ½ mile, or a 10 minute walk, of all residential neighborhoods. One stop is proposed in the center of the Specific Plan area which will serve the immediate needs of the community. As site development expands, the Monterey-Salinas Transit (MST) will monitor the needs and

expand accordingly (3.6 Public Transportation System).

EV-5. Minimize groundwater consumption with water reclamation programs, drought-tolerant landscaping and use of reclaimed water.

- Landscaping shall include predominately drought tolerant native or naturalized plant materials with proven adaptation to the region's climate and capable of providing storm water filtration where appropriate (7.2 Landscape Design Principles)
- Commercial and multi-family landscaping shall use reclaimed water when available (6.3.1 All Development).
- Commercial buildings (excluding hotels) shall use reclaimed water for toilet flushing (6.3.1 All Development).

EV-6. Preserve groundwater quality by integrating Low Impact Development (LID) stormwater management solutions.

- In order to uphold the integrity of the drainage system and retain the effectiveness of the infiltration basins, stormwater BMP's, LID techniques, and erosion control devices are required during construction and post-construction and shall be consistent with the most current City and Regional Water Quality Control Board standards

CHAPTER 1 – Introduction

(4.5 Stormwater, 6.3.1 All Developments).

- Development applications for commercial equestrian facilities must develop an Equestrian Management Plan (EMP) for review and approval. Such plan shall describe installation and maintenance of site design, source control and treatment control installing BMP's which have proven to be successful (8.3.3(8) Development Review and Application Procedures and 4.5 Stormwater).

1.2.4 Veterans Cemetery Policies

VC-1 Serve the internment needs of Veterans within a 75 mile radius.

- Per the CCCVC 2008 Master Plan, the Specific Plan includes approximately 135 acres of land dedicated as Veterans Cemetery Planning Area.

VC-2 Provide additional functions for the property, ancillary to burial, that honor the Veterans.

- Two separate parcels, totaling 5 acres, are designated for ancillary use. Permitted uses include cultural and non-denominational facilities, assembly facilities, and trails (Table 2.2).

VC-3 Create an Endowment Fund to operate and maintain the Cemetery after construction.

- A 31.4 acre parcel has been designated "the Endowment Fund Opportunity Parcel". This parcel is intended to be sold in order to create the endowment fund required for maintenance

and operation of the cemetery (2.2.2 Location and Characteristics of Planning Areas).

1.3 Background

1.3.1 Site Location

The Specific Plan boundaries are situated in the County of Monterey ("County") and the City of Seaside ("Seaside") on a portion of the former Fort Ord Military Base (**see Figure 1.1 and Figure 1.2**). The Specific Plan project area encompasses approximately 711 total acres within BRP's Parker Flats area. The project site contains several abandoned structures, parking lots, paved/un-paved roads and undeveloped rolling topography. The property is accessed by Parker Flats Cutoff, Normandy Road, Gigling Road, and 8th Street from the west and north; Parker Flats Road and Eucalyptus Road provide access from the south. Certain roads may currently be closed due to road construction or ESCA remediation.

Surrounding properties include California State University Monterey Bay (CSUMB), an Army maintenance parcel, abandoned barracks, and the Department of Defense (DoD) office building to the north; Monterey Peninsula College Emergency Operation Center (E.V.O.C.) and Monterey County's Fort Ord Recreational Habitat Area (FORHA) to the south, FORHA to the east, and military housing, Chartwell School to the west.

1.3.2 Site History

The Specific Plan area was used historically by the Army for troop training.

The Parker Flats Munitions Response Area (MRA) (which includes the majority of the Specific Plan site) is approximately 758 acres in size and located in the central part of the former Fort Ord. As discussed in the FORA ESCA Remediation Program Volume 1-Work Plan (December 17, 2008), the portion of the Parker Flats MRA that lies south of Gigling Road, was purchased by the government in 1917, while the portion to the north of Gigling Road was privately held agricultural land until the 1940s.

The Parker Flats MRA is composed of portions or all of 13 Munitions Response Sites, many of which were used for munitions training (e.g., artillery training, practice mortar ranges) and a variety of military training purposes.

1.3.3 Site Remediation

Due to the previous uses, remediation (cleanup) of the land was required. The Fort Ord Reuse Authority (FORA) is responsible for the cleanup of the subject properties through an Environmental Services Cooperative Agreement (ESCA) with the Army. Some of the property along the southern and northwestern portions of the project site has been remediated. In addition, site remediation for all property in Seaside and the middle portions of the property in the County are currently underway. The approximate time frame for the completion of remaining site remediation and the associated approval process to allow transfer of the property is 2015.

The Specific Plan, consistent with the remediation process, is proposing

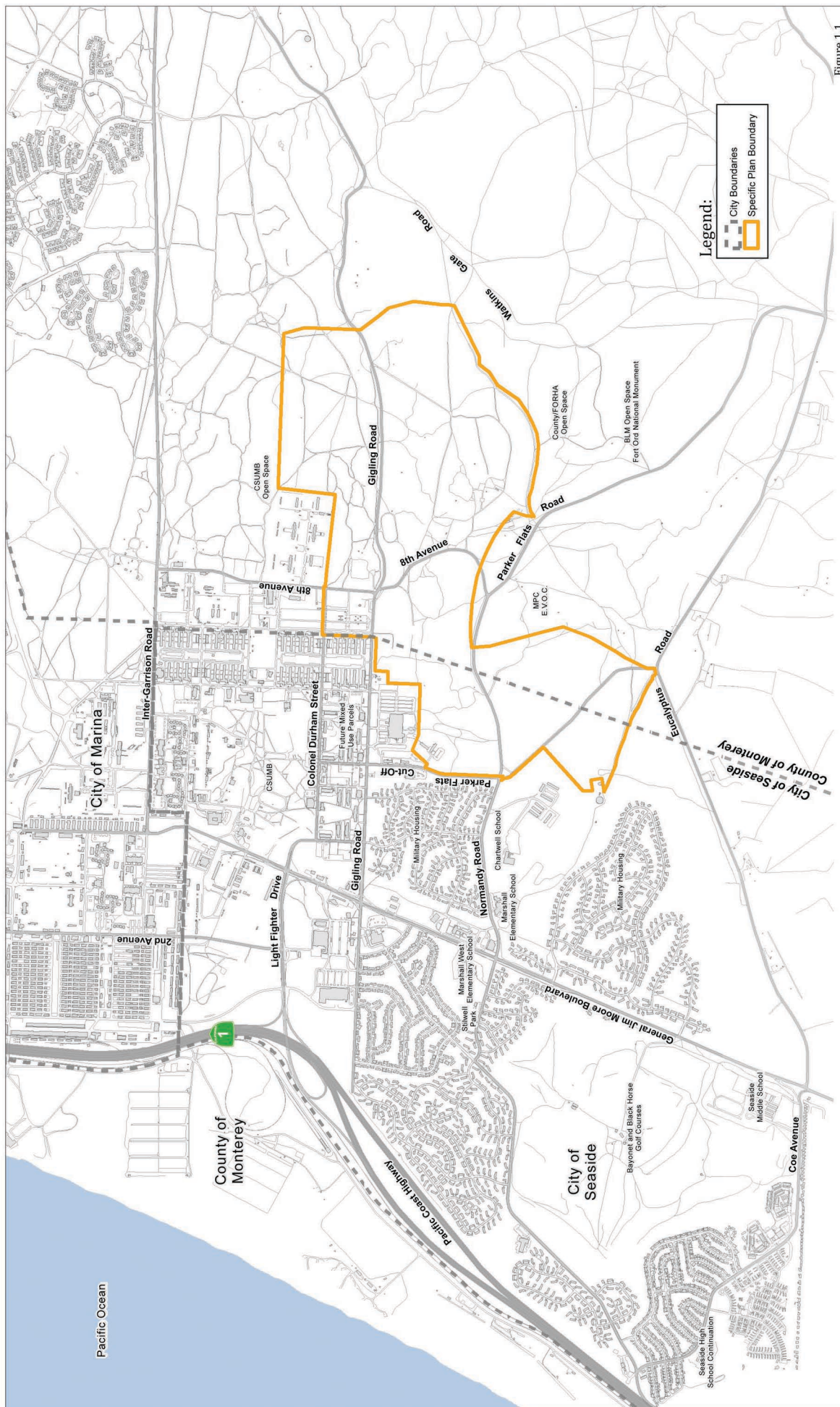
residential and non-residential development in those areas already identified as such in the ESCA remediation program (**see Figure 1.3**). In addition, the ESCA remediation program has a Mixed Use clean up designation. The project is proposing both vertical and horizontal mixed-use development within this Mixed Use category. This mixture of uses will create a lively town center, as envisioned in the BRP.

1.4 Project Description

The Specific Plan includes the coordinated development of a mixed-use master plan village on approximately 711 acres of land within the area.

The proposed project envisions an equestrian training facility with a track for training and potentially racing; a grandstand and sports arena and entertainment center; mixed-use neighborhood serving commercial; a diverse mix of residential neighborhoods; a horse park comprised of a visitors center and office space, veterinary clinic, and horse stables; natural habitat preservation areas; staging areas, trails and trail access; open space and parks; qualified worker lodging; an aquatic center with a tennis and swim club; and hotel and office uses.

The Specific Plan also includes the expansion of public services in the area by including approximately 17 acres of land for the Seaside Public Works Corporate Yard and 3 acres for a new Fire Station Site. These properties are located at the intersection of Gigling Road and 8th Avenue.



This side intentionally left blank

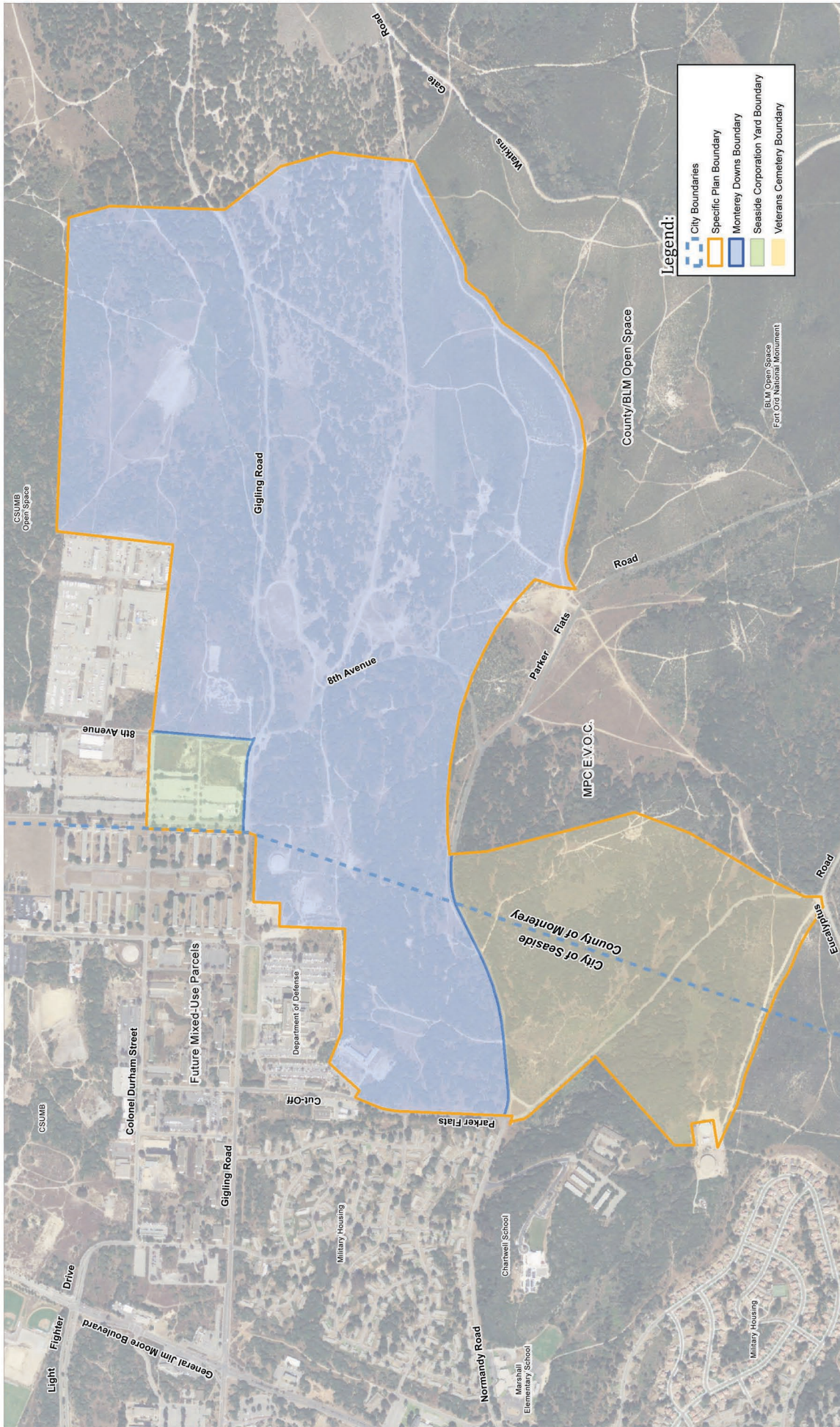


Figure 1.2



0 400 800 1,600 Feet



MONTEREY DOWNS & MONTEREY HORSE PARK & C.C.V.C. Specific Plan

Aerial Photo & Boundary

This side intentionally left blank

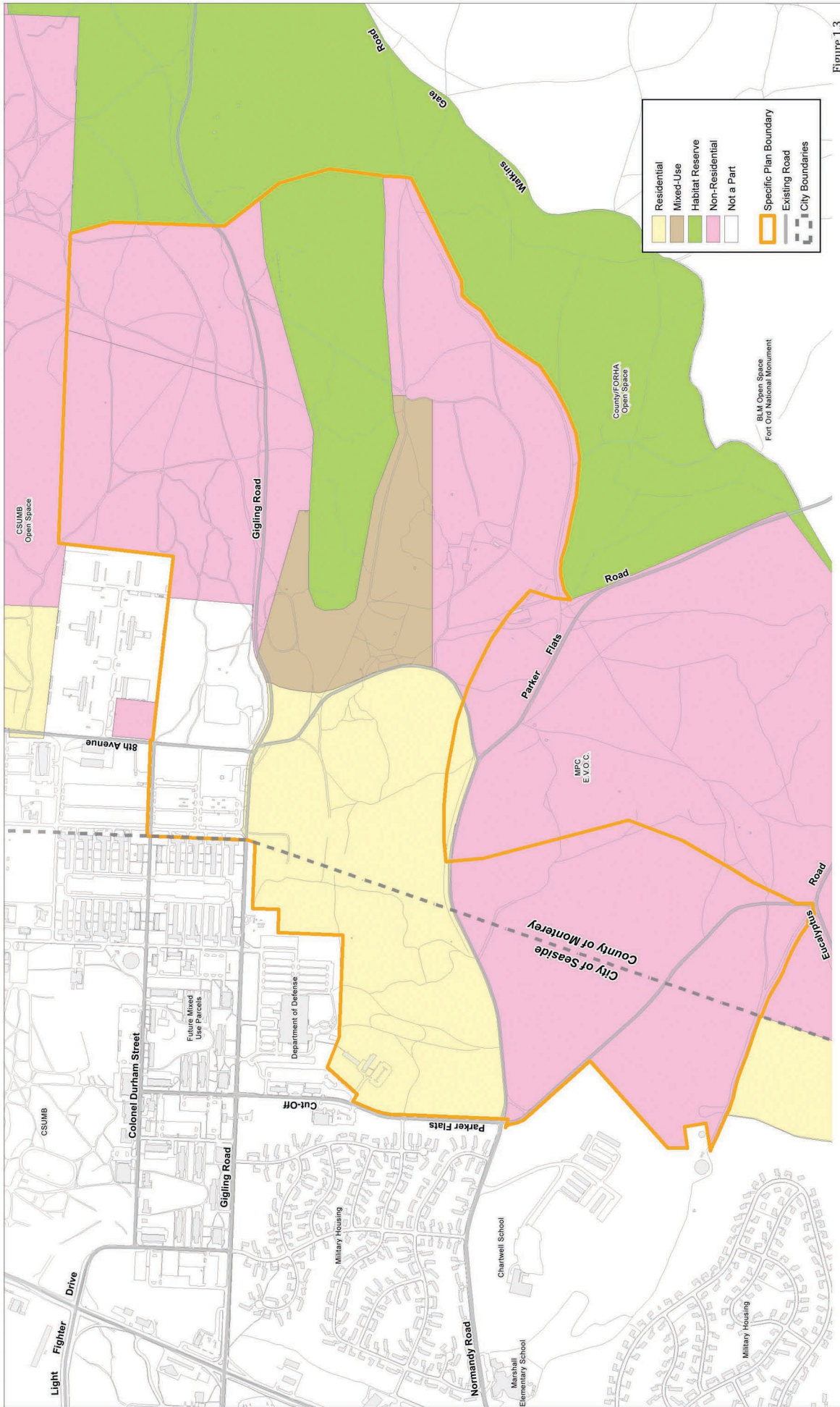


Figure 1.3



MONTEREY DOWNS & MONTEREY HORSE PARK & C.C.V.C. Specific Plan



0 400 800 1,600 Feet

ESCA Clean Up Map

This side intentionally left blank

CHAPTER 1 – Introduction

To help preserve the rich cultural heritage associated with the former Fort Ord and the memory of our nation's fallen veterans, the Specific Plan includes the California Central Coast Veterans Cemetery (CCVC) in accordance with the CCVC Development Master Plan (September 2008) and the CCVC Implementation Report (May 2011) on approximately 135 acres. The cemetery will supply approximately 106,000 burial sites, ancillary uses such as a veteran's hall, a non-denominational chapel and an amphitheater, as well as an area identified as Development Area with Habitat Restoration Opportunity.

All portions of the Specific Plan currently located in the unincorporated portions of the County are proposed to be annexed into Seaside. **Figures 1.4 and 1.5** show the existing and proposed jurisdictional boundaries for the Specific Plan area.

As discussed on page 226 and illustrated in Figure 4.1-4 of the BRP, Seaside submitted two separate requests to amend their Sphere of Influence in 1991 with the intention of eventually annexing much of the property to the east of the current City Boundary including the subject properties. The City did not move forward with these requests due to a lack of resources.

Both the Veterans Cemetery and Monterey Downs project areas are split between Seaside and the County. The proposed annexation will allow the projects to be designed and developed under the direction and regulations of one jurisdiction. The design, development, and provision of services under one jurisdiction will ensure orderly and

efficient development and management of the subject lands.

1.5 Regulatory Framework

1.5.1 Plan Consistency

The Specific Plan is consistent with the California Government Code and subject to the conditions noted below.

California Government Code: This Specific Plan has been prepared in accordance with the requirements of the California Government Code (Sections 65450 through 65457). This Code establishes a legal mechanism, termed a "Specific Plan," which allows an area to be established whose development rules supersede any previously established zoning regulations. Specific Plans are developed to provide and ensure a greater level of detail in planning projects of special interest or value to a community within a defined area called a Specific Plan Area. The Plan typically contains a set of medium and long-range policies for land use and development in a defined project.

After adoption, a Specific Plan has an effect within the Specific Plan Area similar to that of the General Plan for the City as a whole. For example, the State's Subdivision Map Act requires the legislative body to deny approval of a tentative or final subdivision map if it is not in substantial conformance with any applicable Specific Plan. In addition, a development agreement (or similar instrument) between a municipal body and a developer/applicant cannot be approved unless the legislative body finds the agreement is consistent with the General Plan and any applicable Specific Plan.

1.5.2 Fort Ord Base Reuse Plan

The BRP provides the underlying foundation for the Specific Plan. The state legislature created FORA to guide development on all former Fort Ord lands. FORA statutes require all jurisdictions developing on Fort Ord lands be consistent with the BRP, adopted in 1997.

Overall, the BRP establishes broad development considerations that link various reuse plan elements into an integrated and mutually supporting structure, which includes areas designated for development and non-development (Habitat Management). Approximately 67 percent of the BRP has been designated for Habitat Management with additional lands designated for open space, visitor serving, and educational uses. Per Section 3.3.2 of the BRP, 86 percent of the former Fort Ord is reserved for public use. Since the adoption of the BRP, additional lands have been added to habitat management and public use. **Figure 1.6** shows the areas designated for development and Habitat Management in the vicinity of the project area.

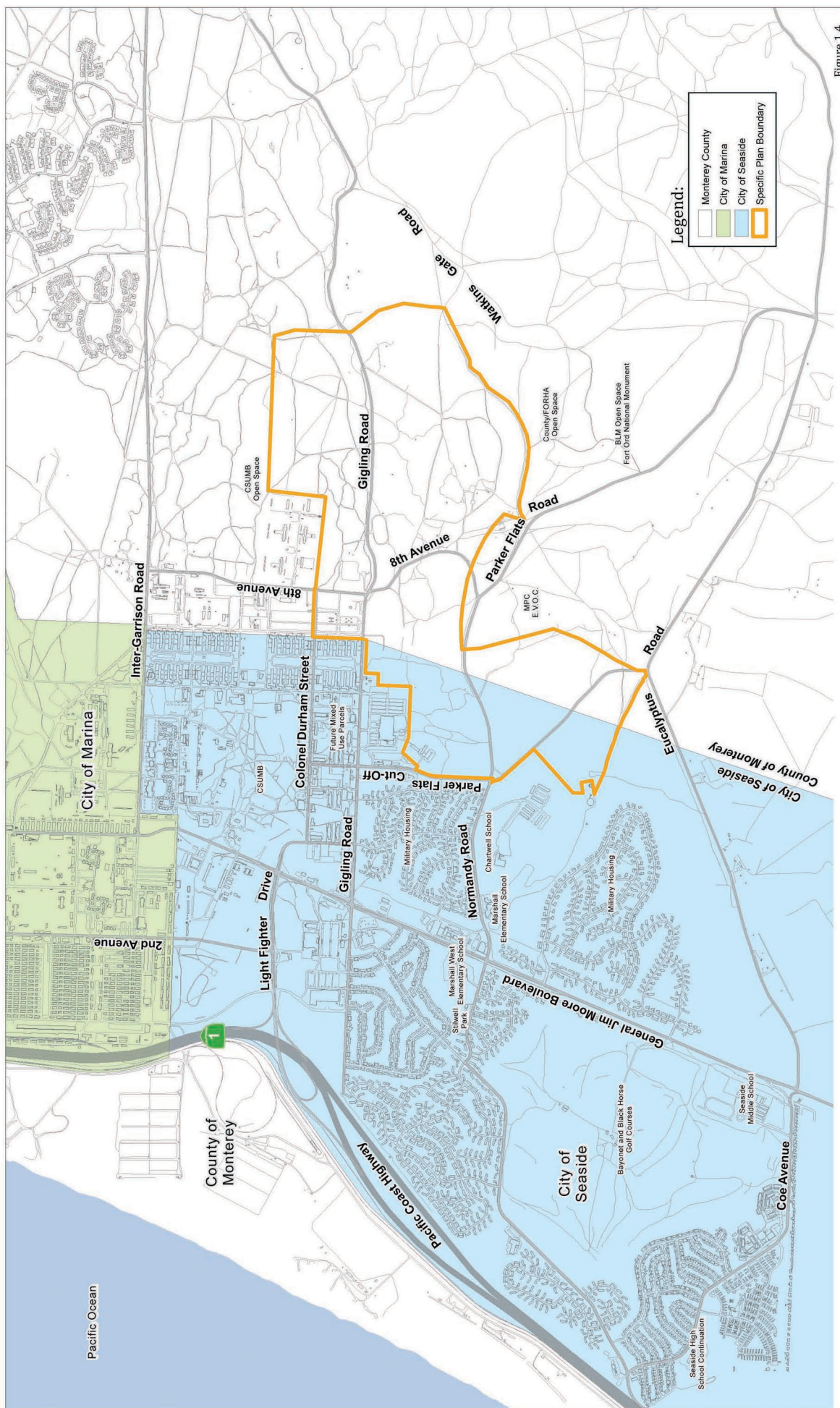
Figure 1.7 shows the array of land uses established by the BRP. It should be noted that the BRP is currently being reassessed and this process may update maps based on various decisions made since the initial BRP adoption. **Figure 1.8** illustrates what the Fort Ord Reuse Plan land use map could look like if the FORA board updated the map based upon the land use decisions that have been made since the BRP was adopted in 1997.

FORA staff has established procedures for conducting consistency determinations that augment the provisions of the FORA Master Resolution Chapter 8.

As discussed in the Fort Ord Reuse Plan Reassessment Scoping Report (October 29, 2012), *"the BRP provides a framework for reuse planning, not a plan to be copied verbatim. FORA does not look for a carbon copy match for land uses, but rather an equivalency of uses and intensities. The land use categories on the FORA land use concept map don't necessarily match the local jurisdictions' land use designations, and a degree of interpretation is required in determining consistency. Additionally, under clause 8.02.010(b), land use locations and intensities may be shifted from those shown on the FORA land use concept map as meets the jurisdiction's needs, provided overall density within the former Fort Ord is not increased. Therefore, a jurisdictional land use map that differs from the FORA land use concept map could still be found consistent. Likewise, the policy content of the jurisdictions' general plans may vary in wording or presentation"* (page 4-176).

Based on Table 3.3-1 of the BRP, the total estimated build-out of the former Fort Ord is 22,232 dwelling units, 1,790 hotel rooms, and 14 million square feet of commercial/office development, and 45,457 jobs.

The vision for the future of former Fort Ord involves the creation of a community that will fit into the character of Monterey County, complementing the scale and density of the existing communities from Marina to Carmel to Salinas. The Specific Plan respects the Peninsula's natural environment and the scenic quality of the Bay, coastal dune areas, and upland reaches and also recognizes the rich tradition and reality of agriculture in the Salinas Valley. The following design principles from the Fort Ord Reuse Plan



This side intentionally left blank

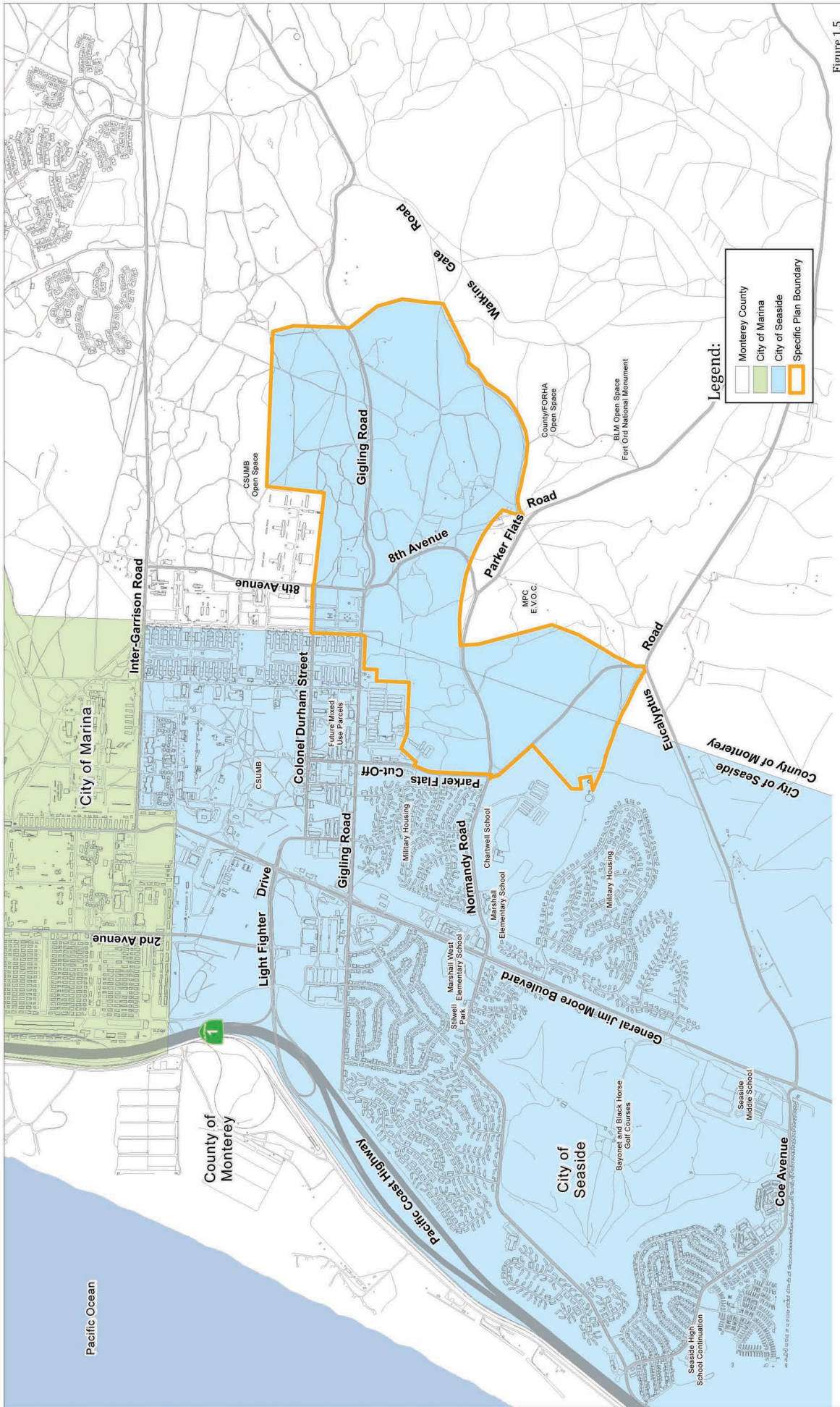


Figure 1.5

Proposed Jurisdictional
Boundary

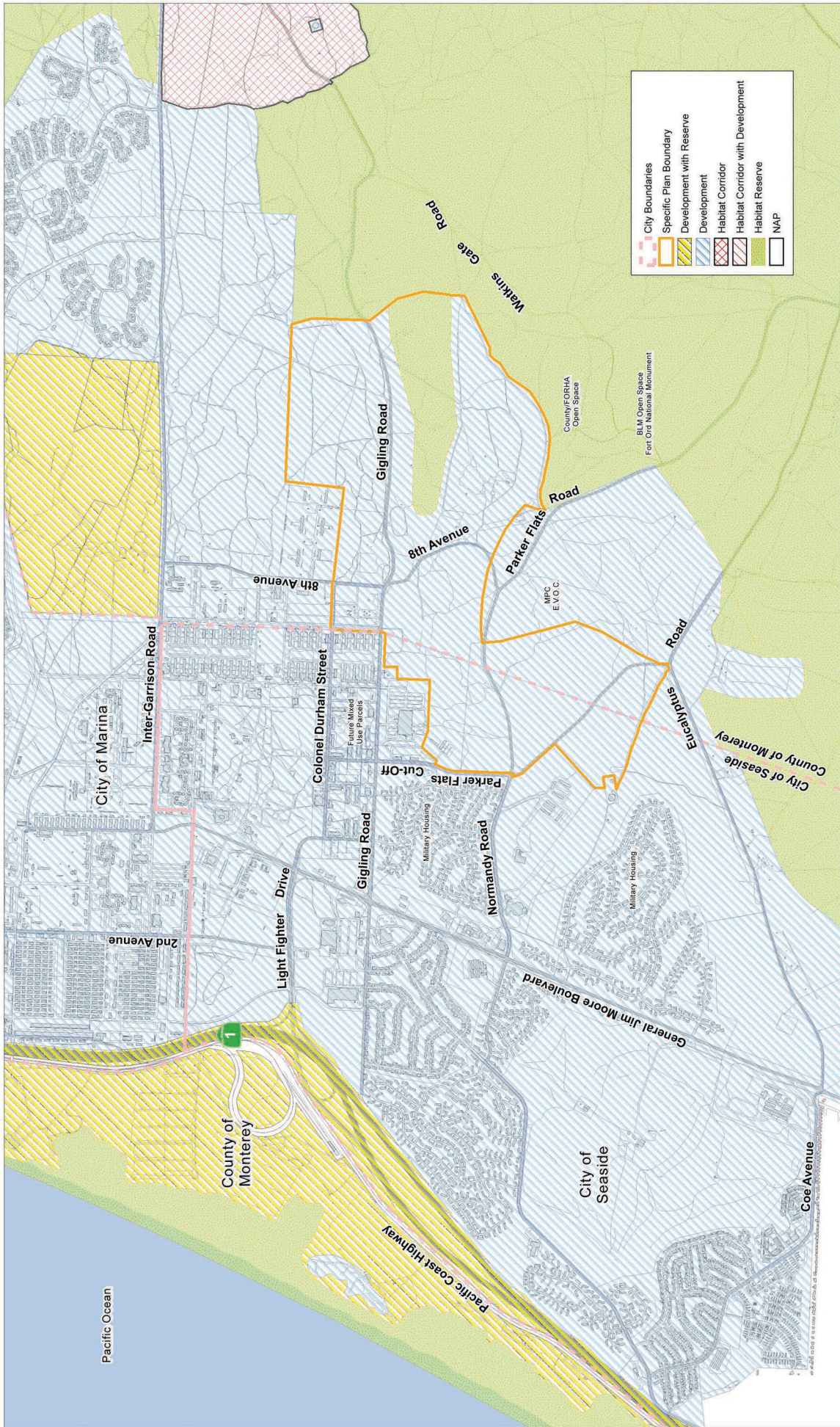


MONTEREY DOWNS & MONTEREY HORSE PARK & C.C.V.C. Specific Plan



0 800 1,600 3,200 Feet

This side intentionally left blank



Source: Department of the Army - Habitat Management Plan for Former Fort Ord, April 2005

Figure 1.6



0 800 1,600 3,200 Feet



MONTEREY DOWNS & MONTEREY HORSE PARK & C.C.V.C. Specific Plan

Habitat Management Plan

This side intentionally left blank

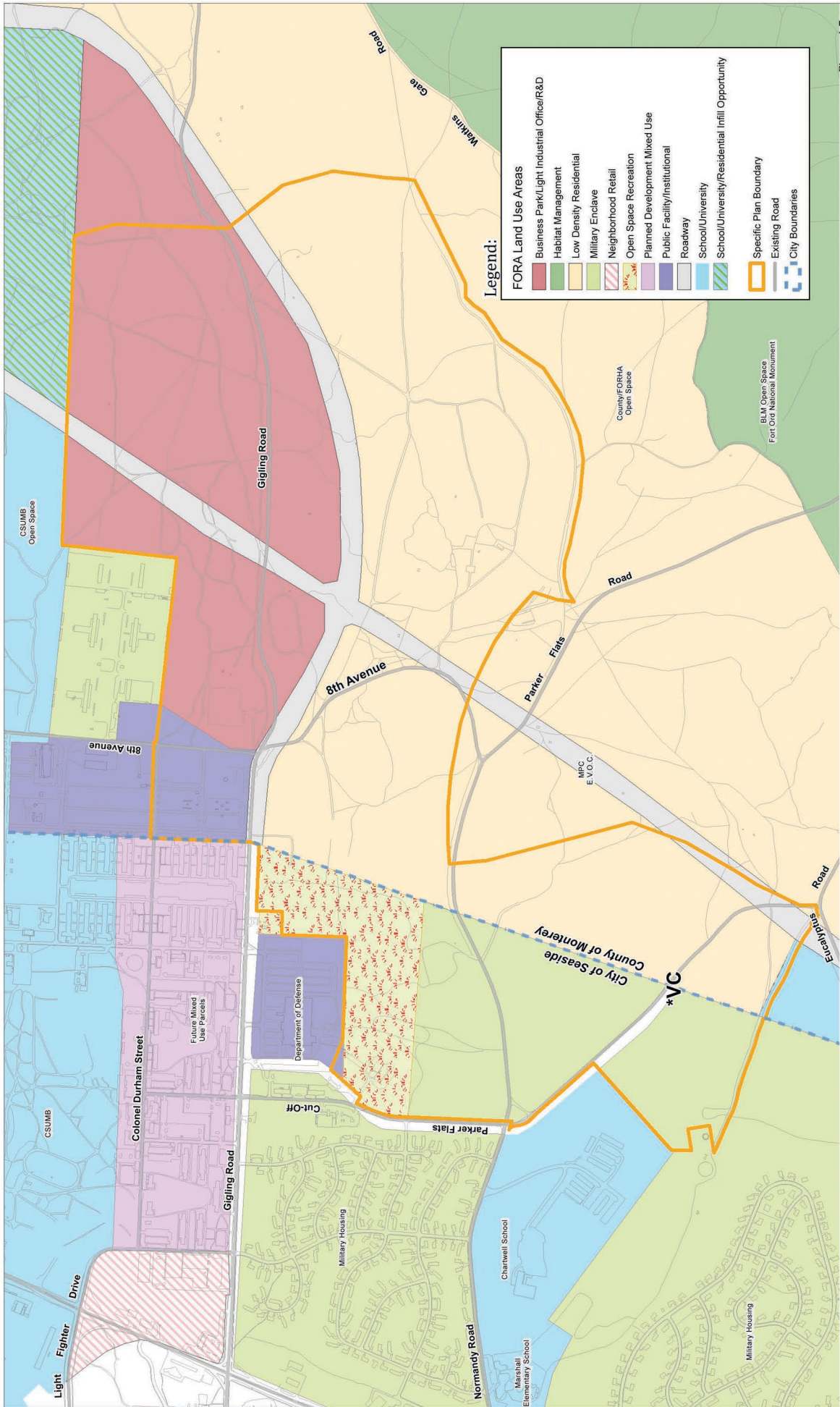
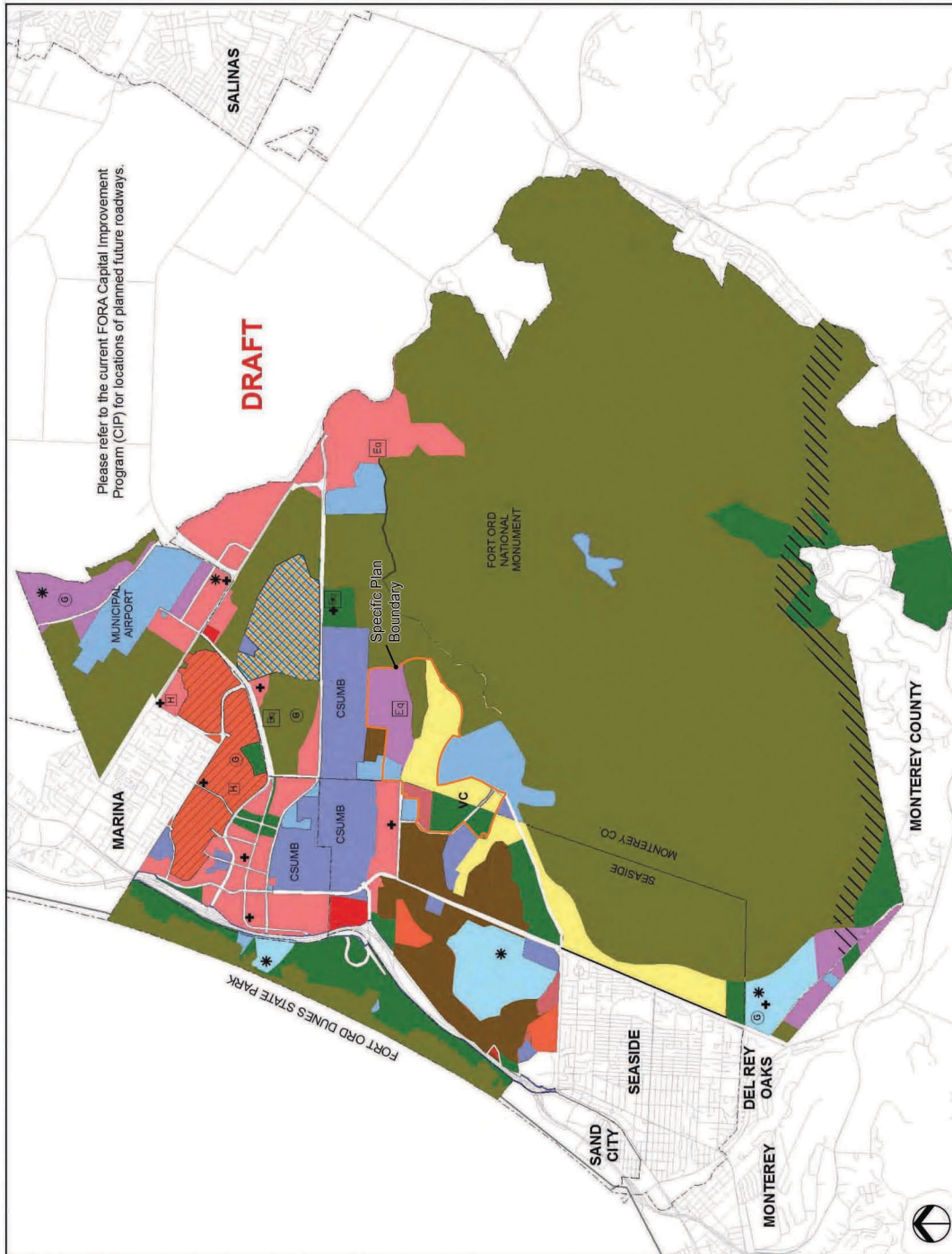


Figure 1.7



This side intentionally left blank



Source: FORA 2012



MONTEREY DOWNS & MONTEREY HORSE PARK & C.C.V.C. Specific Plan



BRP Land Use Concept
(2012 Draft)

Figure 1.8

This side intentionally left blank

CHAPTER 1 – Introduction

lay the foundation of the reuse plan and thus form the basis of the Specific Plan:

Design Principle 1: Create a unique identity for the new community around the educational institutions.

Design Principle 2: Reinforce the natural landscape setting consistent with Peninsula character.

Design Principle 3: Establish a mixed-use development pattern as villages with focal points.

Design Principle 4: Establish diverse neighborhoods as the building blocks of the community.

Design Principle 5: Encourage sustainable practices and environmental conservation.

Design Principle 6: Adopt regional urban design guidelines.

1.5.3 Monterey County General Plan

The theme of the Monterey County General Plan is to promote balanced growth throughout the County in a manner that protects the County's pristine, yet fragile natural resources. The County adopted a General Plan Amendment in 2001 and the County Redevelopment Agency adopted a Redevelopment Plan for the Fort Ord area in 2002. The FORA Board found the County's GPA and Redevelopment Plan consistent with the BRP.

A Fort Ord Master Plan chapter is part of the 2010 Monterey County General Plan update. This updated General Plan (along with the Fort Ord Master Plan) was concurrently approved by the County on October 26, 2010. **Figure 1.9** shows the

array of land uses presented in the 2010 County General Plan. The 2010 County General Plan and the associated Fort Ord Master Plan was determined to be inconsistent with the BRP by FORA in March 2014.

Although the majority of the Specific Plan is currently located within the County, the project includes an annexation into the City. Therefore, project buildout will be regulated by the development standards described in this plan and the Seaside General Plan policies.

1.5.4 City of Seaside General Plan

Seaside adopted its General Plan Amendment and zoning for the Fort Ord Lands on August 12, 1998. The FORA Board considered consistency of the 1998 Amendment at several meetings and ultimately determined consistency on December 11, 1998.

Seaside adopted a comprehensive update to its General Plan on August 5, 2004. The FORA Board found the Seaside General Plan Update consistent with the BRP on December 10, 2004. Seaside's adopted 2004 land use map contained variations from the original BRP land use concept. With respect to the proposed Specific Plan, the land use variations that were adopted by Seaside and considered "consistent" by FORA included: (1) a re-designation of approximately 43 acres from Open Space Recreation to High Density Residential, and (2) a re-designation of approximately 100 acres from Military Enclave to Park and Open Space. **Figure 1.10** shows the array of land uses established by the Seaside General Plan.

1.6 Authority and Scope

1.6.1 State Authority

The Specific Plan conforms to California Government Code Sections 65450 et seq. Pursuant to these code sections, a specific plan must include text and a diagram(s) which specify all of the following in detail:

- (1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan. (Chapter 2, Land Use Plan)
- (2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan. (Chapter 3, Circulation Plan, and Chapter 4, Public Facilities and Services)
- (3) Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable. (Chapter 5, Architectural Design Guidelines, Chapter 6, Development Standards, and Chapter 7, Landscape and Grading Design Standards)
- (4) A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the proposed development plan. (Chapter 8, Implementation)
- (5) The specific plan shall include a statement of the relationship of the specific plan to the general plan. (Section 1.5.1, Plan Consistency)

1.6.2 City of Seaside Authority

Seaside will have approval authority over the Specific Plan as a whole, amendments to the Specific Plan, and approval of individual development projects undertaken as part of Specific Plan build-out. Please note that the City's authority over the Veterans Cemetery property is limited to the endowment and ancillary parcels.

Approvals issued by the City may include, but are not necessarily limited to:

- Approvals related to the Specific Plan as a whole:
 - Approval of the Specific Plan and any amendments to the Specific Plan
 - General Plan/Zoning Amendment
 - Sphere of Influence Amendment, Pre-zoning, and Annexation.
 - Certification of the Environmental Impact Report (EIR)
- Approvals related to individual development projects within the Specific Plan Area:
 - Amendments to the Specific Plan (Major and/or Minor Modifications)
 - Subdivisions
 - Use Permits
 - Design Review Permits
 - Building and Grading Permits

Refer to Chapter 8: Implementation for additional discussion related to future project approvals.

1.6.3 FORA Consistency

In terms of land use and development, FORA's land use role is limited to overall guidance and planning and determinations of City and County plans or project consistency with the BRP.

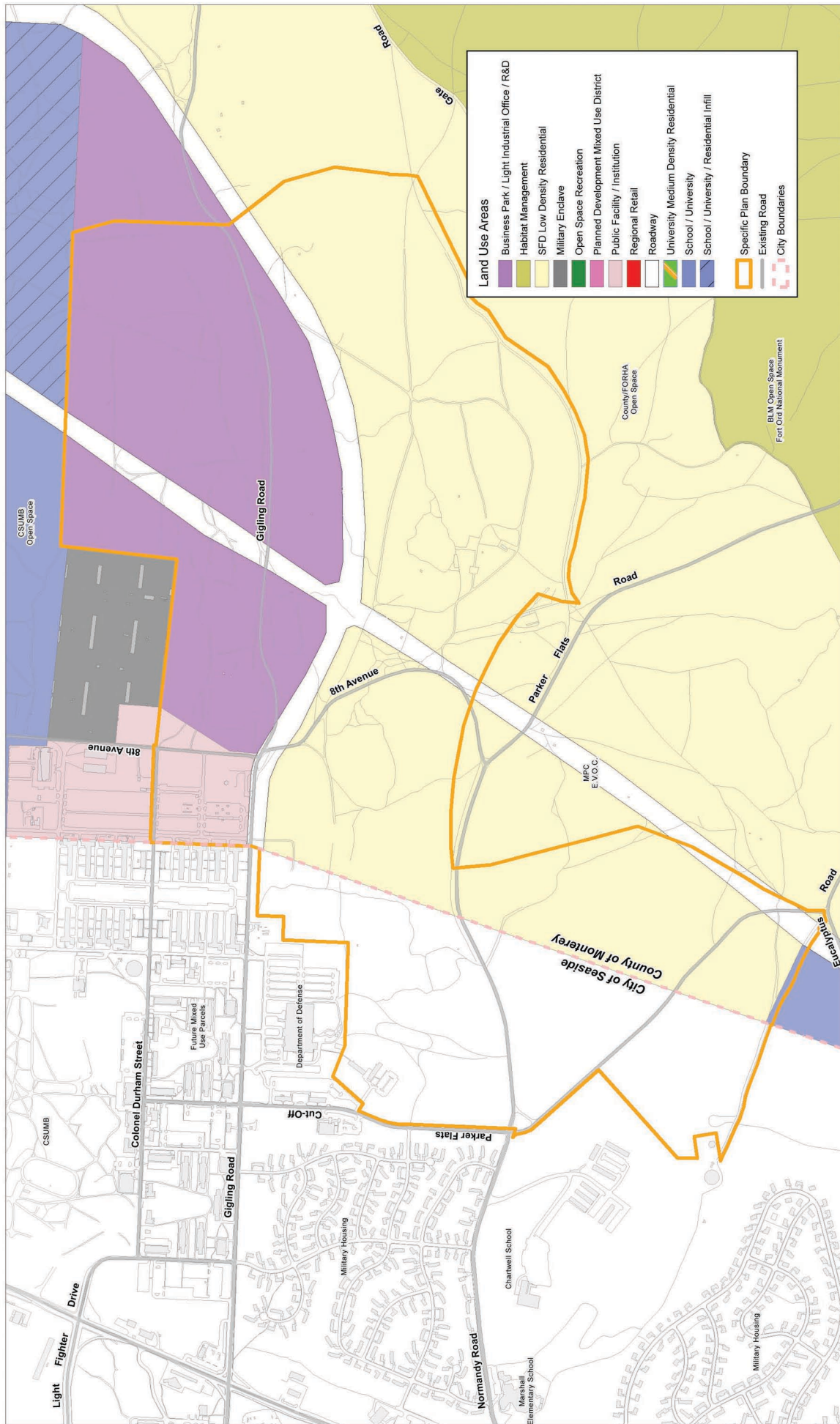


Figure 19

MONTEREY DOWNS & MONTEREY HORSE PARK & C.C.V.C. Specific Plan

This side intentionally left blank

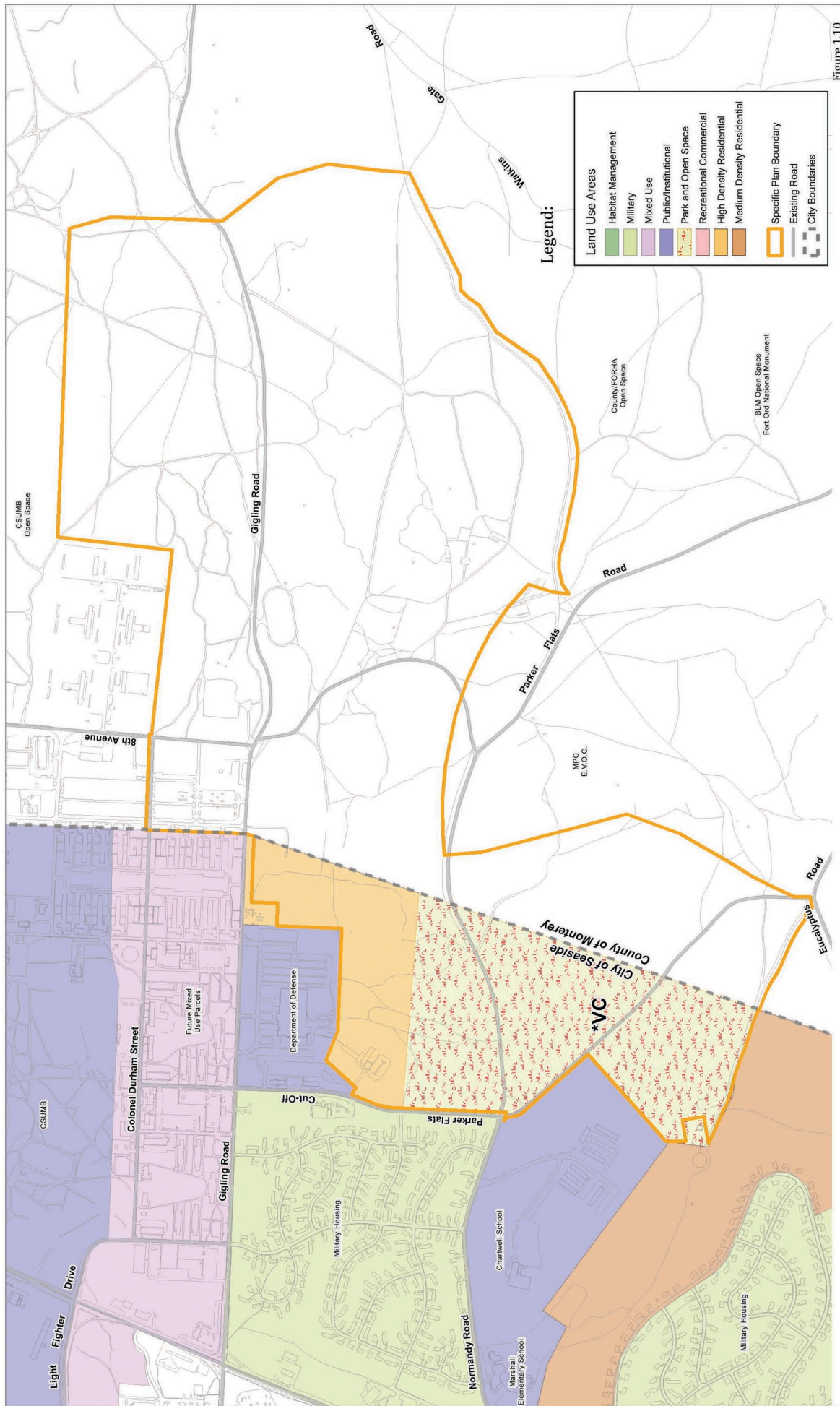


Figure 1.10

This side intentionally left blank

CHAPTER 1 – Introduction

FORA does not control land use approvals. They serve as the intermediary in the transfer of much of the land from the US Army. When the US Army and federal or state regulatory agencies have determined that a parcel of land is clear of hazardous materials after site investigations and/or active remediation, the land is transferred to FORA, which then has authority to transfer the land to the land use jurisdiction in charge of the territory.

As part of the BRP, Master Resolution Chapter 8 establishes the requirement for local plans to be consistent with the BRP and establishes procedures for FORA to review member jurisdictions' land use decisions affecting sites within the former Fort Ord, to confirm that they are consistent with the BRP (Section 8.01.010). Chapter 8 also sets forth separate procedures for conducting consistency determinations for legislative acts (general plan, zoning, etc.) and for development entitlements (tentative maps, site plans, etc.).

1.6.4 Local Agency Formation Commission Authority

The Local Agency Formation Commission (LAFCO) of Monterey County is an independent countywide body created by the State Legislature. LAFCO makes decisions about the boundaries of cities and special districts. As a planning agency, LAFCO determines and updates the Sphere of Influence of each city and district, conducts studies of public services, and may initiate proposals to change boundaries based upon the Spheres of Influence or special studies.

Implementation of the Specific Plan includes a sphere of influence update and

annexation of approximately 569 acres of land currently located within the unincorporated portions of the County. As part of the project review process, LAFCO will be requested to review and approve the requested boundary change pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act, the California Environmental Quality Act, open meeting laws, the Revenue and Taxation Code, and local policies and procedures.

1.6.5 CEQA Compliance

Adoption or amendment of a Specific Plan constitutes a project under the California Environmental Quality Act (CEQA). An Environmental Impact Report (EIR) (SCH No.2012091056) was prepared for the Specific Plan in accordance with the CEQA Guidelines (Sections 15146 and 15180). This document is the primary environmental document for the Specific Plan and all individual projects which are undertaken pursuant to, and in conformance with, the Specific Plan. Seaside, as the Lead Agency, prepared the EIR in accordance with the CEQA (Public Resources Code Section 21000 et seq.).

The Specific Plan includes information governing build-out of the project area, all of which was evaluated in the Specific Plan EIR. Therefore, the City will evaluate subsequent development projects within the Specific Plan to determine if the individual project's environmental impact were adequately addressed in the Specific Plan EIR. Further environmental review in compliance with CEQA would only be required if the conditions described in CEQA Guidelines section 15162 Subsequent EIRS and Negative Declarations; 15163 Supplement to an EIR, or 15164 Addendum to an EIR occur,

which require additional compliance with CEQA.

1.7 Specific Plan Organization

The Specific Plan establishes a coherent and consistent regulatory framework of standards and guidelines in an easy to use format. It sets the physical standards and guidelines as well as land use and development standards, and provides the details of the development review process. The Specific Plan is organized as follows:

Chapter 1 Introduction

The Introduction Chapter provides an overview of the Specific Plan and the regulatory framework from which it is established. The vision, policies, and implementation measures of the Specific Plan are described in this Chapter. A summary of the Specific Plan context and project description, as well as the legal structure and document organization are also outlined.

Chapter 2 Land Use Plan

The land use plan establishes the overall land use concept and development framework for the 711 acre planning area. It proposes a mix of visitor serving equestrian and special event venues, mixed-use commercial, residential, recreation, trails, open space preservation, public facilities and Veterans Cemetery uses.

Chapter 3 Circulation

The circulation plan places an emphasis on providing a safe and efficient network of

pedestrian, bicycle, equestrian, and vehicular movement. Bike lanes, paseos, pathways, staging areas and trails are designed to provide convenient access to the surrounding 7,200 acres of open space and 86 miles of trails.

Chapter 4 Public Facilities and Services

This chapter describes the public facilities and infrastructure systems needed to service the Specific Plan area. This includes, but is not limited to, water supply, utilities, and public safety.

Chapter 5 Architectural Design Guidelines

The architectural guidelines have been provided to establish the architectural character of the community and to ensure compatibility with the historical development found in the City of Seaside and neighboring communities. The goal is to promote compatibility through the use of traditional and contemporary architectural styles and though quality architectural innovation.

Chapter 6 Development Standards

The purpose of development standards is to specify regulations governing the use of land within the Specific Plan area. These regulations are further augmented by Architectural Design Guidelines described in Chapter 5 and Landscape and Grading Design Standards found in chapter 7.

Chapter 7 Landscape and Grading Design Standards

The overall goal of landscape and grading standards is to create a "sense of place" within neighborhoods and open spaces through the incorporation of landscape design principles and grading standards.

CHAPTER 1 – Introduction

The plan also promotes natural contours and the gradual transition of graded slopes while encouraging the use of drought tolerant native plants and encouraging energy and water conservation techniques.

Chapter 8 Implementation

This chapter summarizes the anticipated development phasing, discusses the development review process for projects within the Specific Plan area, and identifies infrastructure improvements and financing.

This side intentionally left blank

Land Use Plan

2.1 Introduction

The Land Use Plan provides the basic coordinating elements of the Specific Plan and establishes some of the key development requirements. This Chapter establishes: (1) the land uses for the Specific Plan; (2) the general mix, location, size, and total number of residential dwellings, the size of the visitor serving recreational and commercial uses; (3) the range of permitted uses within the Specific Plan; and (4) the degree of flexibility permitted during build-out of the Specific Plan.

2.2 Land Use Concept

The Specific Plan proposes a mix of visitor serving equestrian and special event venues, mixed-use commercial, residential, recreation, trails, open space preservation, public facilities and Veterans Cemetery uses intended to serve as a premier equestrian-themed community. **Figure 2.1 - CCVC Illustrative Plan, 2.2 Land Use Map, and Figure 2.3 - Monterey Downs and Horse Park Illustrative Plan**, establish the plan's conceptual spatial layout and mix of uses,

to which all development standards proposed as part of this Specific Plan apply.

The Specific Plan envisions the following collection of land uses:

1. Approximately 225,000 square feet designated for a state-of-the-art sports arena and equine horse training facility;
2. Approximately 330,000 square feet designated for the "Country Walk" outdoor shopping destination;
3. Approximately 111 acres designated for a world-class equestrian park;
4. Approximately 73 acres designated for perpetual habitat preservation and trails;
5. A recreation park and dog park;
6. Neighborhood parks spread throughout residential neighborhoods connected by a paseo network;
7. 256 qualified worker lodging units;
8. Up to 1,280 residential dwellings constructed on approximately 153 acres;
9. Water tank and access road;

10. Approximately 205,000 square feet (26.9 acres) are designated for commercial office, and business traveler hotel uses;
11. A tennis and swim facility;
12. A new fire station site;
13. Trail staging areas;
14. R.V. parking;
15. Approximately 135 acres designated for the California Central Coast Veterans Cemetery (CCCVC); and
16. A 17-acre Seaside Public Works Corporation Yard site.

2.2.1 Planning Areas

Areas proposed for development within the Specific Plan are differentiated by "Planning Areas" and have been grouped according to form, function, and density. A total of 12 Planning Areas and 2 Overlay Zones are proposed, which are intended to allow a variety of uses. The proposed Planning Area categories include:

- **Recreation 2 (Rec-2)**
- **Recreation 1 (Rec-1)**
- **Open Space (OS)**
- **Commercial 2 (C-2)**
- **Commercial 1 (C-1)**
- **Public Facility (PF)**
- **Veterans Cemetery (VC)**
- **Multi-Family Residential (RM)**
- **Residential 3 (Res-3)**
- **Residential 2 (Res-2)**
- **Residential 1 (Res-1)**
- **Right of Way (ROW)**

- **Linear Park Preserve Overlay (LP-O)**
- **Firewise Overlay (FW-O)**

2.2.2 Location and Characteristics of Planning Areas

The overall layout of the proposed equestrian-themed village is driven by the desire to establish a trails, recreation and open space network adjacent to the already extensive open space and trails system. The integration of open space, neighborhood shopping, equestrian event centers, and residential neighborhoods will create opportunities to live, work, and visit, thus establishing the Monterey Downs as one of the area's premier destinations.

As one travels west across the site from the eastern project boundary, a noticeable transition to urban development occurs. Consequently, the Planning Areas provide open space, recreational and visitor-serving uses along the eastern portions of the Specific Plan area to enhance the recreational and scenic nature of the existing habitat management areas.

A mixture of regional and town center commercial retail uses, recreation, hospitality and business-oriented commercial uses are planned in the geographic center of the Specific Plan area. These centrally located uses are intended to be able to service both visitors and members of the community.

The residential neighborhoods are located within a comfortable walking distance of the town center commercial areas and are interconnected by a network of pedestrian-scale streets and landscaped paseos. A variety of housing types are



Figure 2.1

This side intentionally left blank

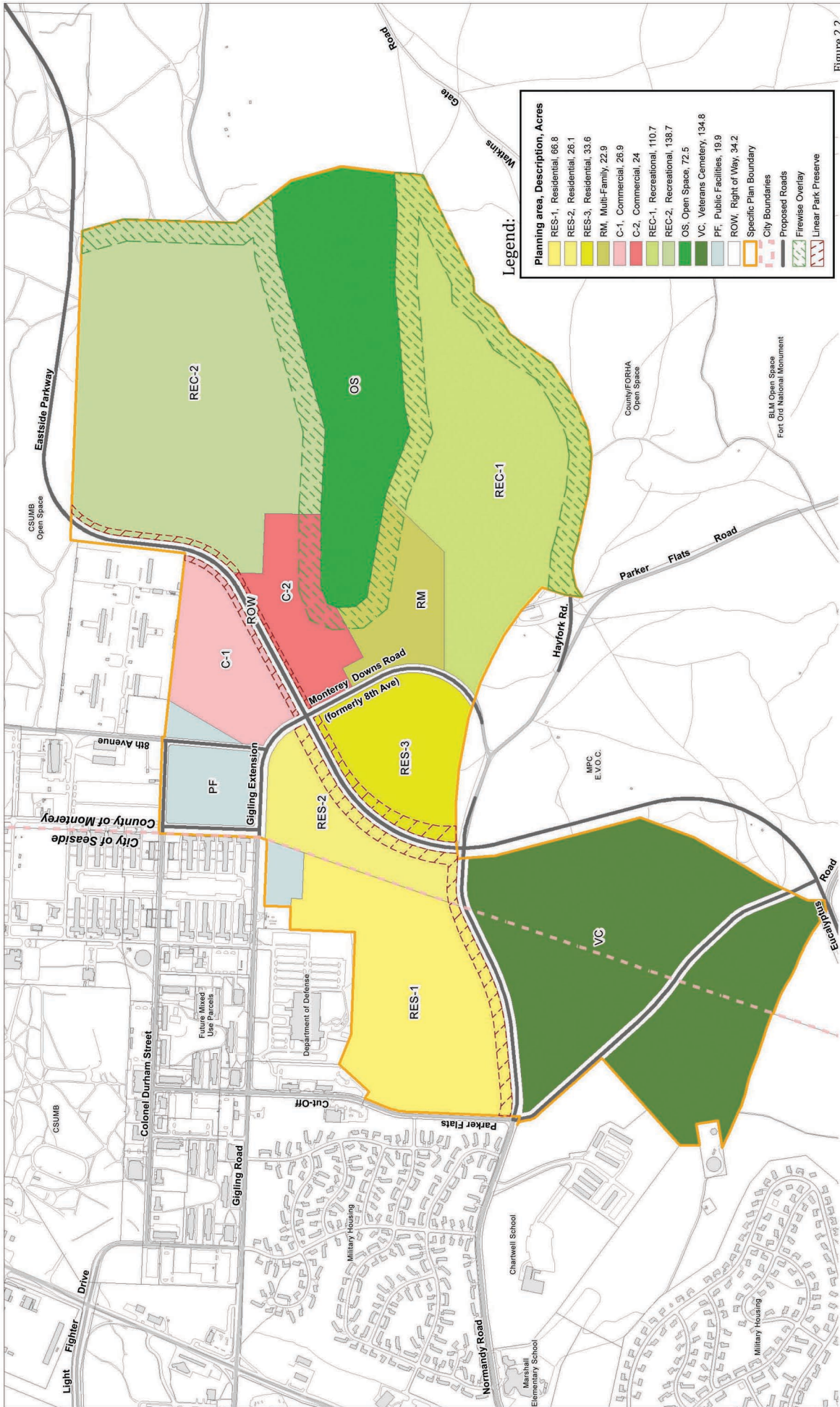


Figure 2.2



MONTEREY DOWNS & MONTEREY HORSE PARK & C.C.V.C. Specific Plan



0 400 800 1,600 Feet

Land Use Map

This side intentionally left blank



Figure 2.3



CHAPTER 2 – Land Use Plan

proposed in order to provide a full spectrum of housing opportunities.

Neighborhood parks are also located within walking distance of the individual neighborhoods to further enhance the community's recreational experience. The parks and recreation areas vary in size and function, and thus provide a range of amenities, including children's play areas, active and passive turf areas, gathering places, and pedestrian and bicycle pathways. The pedestrian pathways and corridors are designed to create opportunities for active and safe recreation while at the same time interconnecting the proposed residential neighborhoods with the neighborhood commercial services.

The CCVC is proposed in the southwest portion of the Specific Plan area. The facility is intended to create a monument to the service and sacrifice of our veterans. In addition to burial sites, ceremonial facilities, and other ancillary facilities, the landscape design for the facility incorporates a commitment to sustainability through the integration of drought tolerant native landscaping and incorporation of native oak woodlands and coastal sage scrub.

Finally, to enhance public services in the vicinity, the Specific Plan proposes to include land in the northwest portion of the project area to facilitate the development of a new Seaside Fire Station and the Seaside Public Works Corporation Yard. Land is also set aside for the Marina Coast Water District (MCWD) Zone "C" water tank.

Each Planning Area and their representative characteristics are described in more detail below.

Recreation 2 (Rec-2)

The Recreation 2 Planning Area is envisioned as the Equestrian Training Track and Sports Arena. This 138.7-acre facility will contain approximately 225,000 square feet of visitor serving uses, with an arena and world-class thoroughbred training facility with potential racing meets. The facilities include a 1500 seat grandstand with additional standing room, barns for up to 1500 horses, parking and other ancillary uses. The training center is modeled after the Del Mar Thoroughbred Club in Del Mar, California.

Portions of the racetrack's in-field area are also envisioned as a landscape amenity, which includes an above-ground recycled water storage basin to meet a portion of the project-related and regional irrigation needs. The reclaimed water storage facility is to be constructed, owned and maintained by Marina Coast Water District (MCWD). If MCWD chooses not to pursue this regional facility, the area will be used for athletic fields. Please refer to Chapter 4, Section 4.2 for a more detailed discussion of recycled water storage capacity.

In addition, the Planning Area includes a 6,500 seat indoor Sports Arena that will be an ideal venue for a wide variety of special events. Some examples include trade shows, car shows, dog shows, pro and semi-pro sports, veteran's events, and graduation ceremonies.

It is anticipated that regular events at the Sports Arena and track grandstands will not exceed 6,500 total visitors, except on a limited basis. If an event is planned that will exceed this number a special event permit will be required that will

include special provisions for parking and traffic control.

To accommodate the unique needs of the Equestrian Training Track staff that migrate with the racing season, an additional 7 acres has been designated for the development of qualified worker lodging. The affordable units, designed in a hotel suite format (furnished with separate bedrooms and kitchenettes), is envisioned with up to 256 units permitted primarily as lodging for track employees and their families. The overall residential density for this land use is up to 40/units per acre.

Recreation 1 (Rec-1)

The Recreation 1 Planning Area is envisioned as the Monterey Horse Park. Monterey Horse Park, a non-profit organization, will fulfill a very special vision. A vision that respects the heritage and traditions of Monterey County while blending in modern innovation, the Monterey Horse Park will stand out as a premier equine events facility, hosting regional, state, national, and international events.

The majority of this 111-acre Planning Area will offer year-round access to various equestrian events. All disciplines of the equestrian world will be welcomed. Monterey Horse Park will be able to accommodate the eight events of the International Equestrian Federation -- dressage, eventing, jumping, driving, vaulting, endurance, para-equestrian and reining. The facility will accommodate Western disciplines and therapeutic riding organizations. In addition, a staging area, as indicated on Figure 2.3, will be located at the south east corner of the project boundary. This staging area shall include

horse stables, RV camping, restrooms and parking. Trail access will be provided to the adjacent FORHA lands and the National Monument.

All events will be hosted in a collection of outdoor arenas, some covered, with supporting infrastructure of 680 permanent horse stalls, 3,000 square feet available to therapeutic endeavors, and a 7,000 square foot visitor center. Therapeutic endeavors include the use of horses and equine-assisted activities in order to achieve goals that enhance physical, emotional, social, and behavioral skills for people who have disabilities. The Monterey Horse Park also envisions use of the facility by various educational groups, such as high school Future Farmers of America (FFA) programs, at risk youth programs and college (CSUMB, Cal Poly, MPC, and Hartnell) students pursuing equine related careers. Other youth organizations will also have access to the facilities for various events.

Beyond the equine world, the Monterey Horse Park will be adaptable to a variety of shows and community events. For example, the facility will be suitable for dog shows, agility trials and hunting dog trials. Cross country track teams will find the central horse park, gallop trails and cross country course an excellent, beautiful and safe place to train. Community craft fairs and farmers markets will find the facilities available for their events.

A cross-country course is planned in the Rec-1 planning area and will extend into the OS Planning Area and east into the FORHA open space. This course is consistent with the East Garrison/Parker Flats Land-Use Modification Memorandum

CHAPTER 2 – Land Use Plan

of Understanding between Fort Ord Reuse Authority, Monterey Peninsula College, U.S. Bureau of Land Management, and the U.S. Army (Assessment East Garrison-Parker Flats Land Use Modification, Zander and Associates, May 2002, page 18).

Open Space (OS)

To transition from the mixture of urban uses to the surrounding public lands to the east, the Specific Plan will preserve 73 acres of native Oak woodland habitat in conformance with the Fort Ord Habitat Management Plan and the BRP. Within and adjacent to this open space planning area, multi-use (hiking, biking, and equestrian) trails and cross country course will be preserved and created and natural drainage areas will be maintained. This area will provide a connection to the almost 16,000 acres of public lands east and south of the project boundary.

Commercial 2 (C-2)

The Commercial 2 Planning Area is envisioned as the town center known as "Country Walk". This 24-acre Planning Area will contain up to 330,000 square feet of commercial and neighborhood-serving uses envisioned as a collection of outdoor shopping venues and other amenities designed to create a true sense of place. Its open-air plaza is designed to capture the essence of an era before the automobile - when horses walked the streets. Specially designed facilities for hikers, bikers, equestrians, and dog-lovers will connect Country Walk with the adjacent open space and trails network. A staging area will be located in the southern portion of Country Walk and will include a bike center, dog barn, horse tie up, barn/livery, and restrooms. Buffers of landscaping and trails will be provided to

transition this area between developed and rural zones.

Country Walk's intimate spaces will be occupied by a variety of commercial uses, including, but not limited to, charming restaurants, outdoor cafes, local proprietors, museums, small office spaces, a movie theatre, hotel, and a farmer's market. In addition, mixed-use commercial and multi-family residential uses are permitted in this Planning Area, as described in Section 2.5.1.

Commercial 1 (C-1)

The Commercial 1 Planning Area is located in the northern portion of the project site. The proposed commercial uses will cater to the business and recreational traveler, parents of local college students and guests attending local events. This 26.9-acre Planning Area will contain up to 205,000 square feet of commercial uses, with 100,000 square feet designated for commercial office, 100,000 square feet designated for a business traveler hotel, and 5,000 square feet designated for a neighborhood serving tennis and swim recreation center.

This area is also located within walking distance of Country Walk and its destination commercial retail uses.

Public Facilities (PF)

To enhance levels of public service within the Specific Plan and neighboring areas, the Public Facility Planning Area includes approximately 19.9 acres that will be dedicated to facilitate the construction of the new Seaside Fire Station and Public Works Corporation Yard.

In addition, approximately 4 acres are proposed to be dedicated to MCWD for use and access to their existing water tank site.

Veterans Cemetery (VC)

The Veterans Cemetery Planning Area includes approximately 135 acres planned for development by the CCVC (see Figure 2.1). This memorial park contains three primary development areas. These include:

- The State Veterans Cemetery located on approximately 84 acres of land. This portion of the project will be owned and operated by the State of California and the City of Seaside will not have permitting authority over this component;
- Two separate parcels, totaling approximately 4 acres, for ancillary uses (i.e. veterans hall, cultural history museum, amphitheater and vehicle parking areas);
- Approximately 47 acres of development area with habitat restoration opportunity;

It should be noted that the Endowment Fund Opportunity Parcel (approximately 31.5 acres) is intended to be sold in order to finance the endowment fund required for the cemetery operations and maintenance costs. Note that at this time, the Specific Plan proponents intend to purchase this endowment property and thus have incorporated the parcel acreage into the RES-1 planning area. Therefore, it is not considered part of the 135 acres. The right to negotiate the purchase of this parcel is discussed within the Exclusive Negotiating Agreement with Seaside. Also not included in the overall acreage is anticipated right-of-way dedication areas

depicted in the Specific Plan as part of the Right-of-Way (ROW) Planning Area.

Multi-Family Residential (RM)

The Multi-Family Residential Planning Area is located in the central area of the Specific Plan area, adjacent to the Country Walk town center. This 22.9-acre Planning Area will contain up to 426 dwelling units taking access from Monterey Downs Road. The dwellings also have direct access to the network of trails planned within the 73-acre "Oak Oval" open space planning area, and direct pedestrian access to the Country Walk town center. The units will be primarily arranged in an apartment style with elevations up to four stories. There will also be up to 26 courtyard style homes along Monterey Downs Road. Overall residential densities up to 20DU/acre are permitted within this Planning Area. Given the proximity of this planning area to CSUMB and MPC, student housing is also a permitted residential use.

Residential 3 (Res-3)

The Residential 3 Planning Area is located just west of the Country Walk town center and RM Planning Area. This 33.6-acre Planning Area will contain up to 257 dwelling units. The housing types generally consist of detached single-family dwellings with a minimum lot size ranging from 2,000 for courtyard homes and 2,500 square feet for single-family homes. Overall residential densities up to 8DU/gross acre (10DU/net acre) are permitted within this Planning Area.

"Courtyard" style detached dwellings are planned along the frontage of Monterey Downs Road. In the RES-3 Planning Area, approximately 56 courtyard homes are

CHAPTER 2 – Land Use Plan

arranged in 4-6 unit clusters, which will share a common driveway. This design eliminates driveway access along Monterey Downs Road, helping to frame the roadway's "main street" aesthetic. A minimum lot size of 2,000 square feet is proposed along with two and three story elevations.

West of the courtyard homes, more traditional detached single-family dwellings are planned. A minimum lot size of 2,500 square feet is proposed along with two-story elevations.

A neighborhood park with a connecting paseo system is also proposed within this Planning Area to optimize recreational opportunities. The paseo will also provide a direct neighborhood connection to the enhanced Eastside Parkway Linear Park Preserve, which will also provide a regional connection to the public lands adjacent to the Specific Plan boundary.

Residential 2 (Res-2)

The Residential 2 Planning Area is located southwest of the Country Walk town center along the western side of the Eastside Parkway. This 25.9-acre Planning Area will contain up to 124 detached dwellings. The housing types generally consist of detached single-family dwellings with a minimum lot size of 4,000 square feet. Overall residential densities up to 5DU/gross acre (6DU/net acre) are permitted within this Planning Area.

A neighborhood park, and a designated off-street paseo is also proposed within this Planning Area to optimize recreational opportunities. The pedestrian friendly neighborhood streets will also provide a direct neighborhood connection to the

enhanced Eastside Parkway Linear Park Preserve.

Residential 1 (Res-1)

The Residential 1 Planning Area is located in the western portion of the project site. The housing types generally consist of detached single-family dwellings with minimum lot size of 2,500 square feet. This 66.8-acre Planning Area will contain up to 473 detached dwellings. Overall residential densities up to 7.5DU/gross acre (9DU/net acre) are permitted within this Planning Area.

Two neighborhood parks, and a designated off-street paseo is also proposed within this Planning Area to optimize recreational opportunities. The paseo will also provide a direct neighborhood connection to the enhanced Parker Flats Linear Park Preserve.

Right-of-Way (ROW)

The ROW Planning Area includes all of the backbone roadways proposed as part of the Specific Plan including Eastside Parkway, Gigling Extension, Monterey Downs Road, Parker Flats Road and Parker Flats Road.

Linear Park Preserve Overlay (LP-O)

The Linear Park Preserve Overlay will serve as important environmental, recreational, and scenic amenity within the Specific Plan. Totalling approximately 18 acres, this overlay varies in width and is located along both sides of the Eastside Parkway and along the north side of Parker Flats Road. This overlay area will include multi-use trails, oak tree preservation, oak tree mitigation and

restoration, slope grading and water retention areas.

Firewise Overlay (FW-O)

The Firewise Overlay is located within 200 feet of the entire OS Planning Area, the southern and eastern boundary of the Rec-1 Planning Area, and the eastern boundary Rec-2 Planning Area, as shown on the Land Use Map. This Overlay totals approximately 60 acres of land. In general, due to the high level of fuel that can accumulate in maritime chaparral, no flammable structures are allowed within 200 feet of the habitat area boundary.

Prior to the development of property within the Firewise Overlay, a firewise plan shall be reviewed and approved by the City Planning and Fire Departments. This plan should address the location of structures, materials to be used in construction, fuel breaks and emergency ingress and egress.

2.2.3 Parks, Open Space, Trails and Recreation

Parks, Open Space, Trails, and Recreation are key components of the Specific Plan. These various amenities are distributed throughout the Specific Plan and therefore are mentioned in each Planning Area section above and in other Chapters within the Specific Plan. To better understand the full extent of these features, this section details each amenity.

Parks

Various sized parks are spread throughout the Specific Plan Planning Areas totaling over 12 acres. These parks range from

mini parks, neighborhood parks, and community parks.

Over eight acres of neighborhood parks and mini-parks will be provided within the RES-1, RES-2 and RES-3 Planning Areas. An owners association or associations should be formed to maintain all of these parks. The conceptual park designs will offer a variety of amenities tailored for each park's intended use.

Neighborhood parks will be over one acre each and are envisioned as more active recreational facilities that will include children's play equipment, pools, grass play fields, barbeque areas, and other suitable facilities to meet the needs of the local residents.

Mini-parks will include more intimately scaled spaces, such as amenities suited for pathways, quiet conversation, gardening, small neighborhood gatherings, and sightseeing. Numerous mini-parks will be spread throughout the residential planning areas and will total over three acres.

One Community Park of just over 4 acres will be located in the C-1 Planning Area at the intersection of Gigling Road and Eastside Parkway. This terraced park will provide facilities for larger gatherings with play fields, dog park facilities, and picnic areas.

Open Space

Approximately 73 acres of the Specific Plan area are set aside as open space in the OS Planning Area. This open space area will function as both a passive park and natural preserve. The park areas will include a number of pedestrian and equestrian pathways that will link the

CHAPTER 2 – Land Use Plan

Eastside Parkway and the Country Walk town center to the FORHA open space trail system. In addition, expanded “greenways” are proposed within the Linear Park Preserve Overlay located along Parker Flats Road and the Eastside Parkway. Totaling approximately 18 acres, these greenways will provide additional off-street pedestrian, equestrian and bicycle connections along with natural transitions between the developed and rural areas of the Specific Plan.

Trails

Approximately 4 miles of hiking, biking and equestrian trails are located throughout the Specific Plan that connects the various Planning Areas. These trails also create and maintain connections to the vast adjacent FORHA and BLM trails system.

In addition, two staging areas are provided in the C-2 and Rec-1 Planning Areas. The staging area within the C-2 Planning Area is located adjacent to OS Planning Area and encompasses approximately 1 acre. This area will be located in the southern portion of Country Walk and will include a bike center, dog barn, horse tie up, barn/livery, and restrooms.

In addition, a staging area will be located at the south east corner of the project boundary within the Rec-1 Planning Area. This staging area will include horse stables, RV camping, restrooms and parking. Trail access will be provided to the adjacent FORHA lands and the National Monument.

Recreation

The Rec-1 and Rec-2 Planning Areas encompass approximately 250 acres of land and provide numerous recreational opportunities.

The Rec-1 Planning Area includes the Monterey Horse Park which will provide various equestrian uses as detailed in the Rec-1 section earlier in this chapter. The facility will be open to various educational groups as well as youth organizations.

Monterey Horse Park will also be adaptable to a variety of shows and community events such as dog shows, agility trials and hunting dog trials.

The Rec-2 Planning Area includes the Equestrian Training Track and Sports Arena. These facilities will contain approximately 225,000 square feet of visitor serving uses, with an arena and world-class thoroughbred training facility with potential racing meets. The Sports Arena will be an ideal venue for a wide variety of special events. Some examples include trade shows, car shows, dog shows, pro and semi-pro sports, veteran’s events, and graduation ceremonies.

Finally, a tennis and swim recreation center is located in the C-1 Planning Area that will encompass approximately six acres and provide much needed facilities for local residents.

A breakdown of these amenities is provided below:

Amenity	Planning Area	Acreage -Miles
Mini-Parks	Res-1, Res-2, Res-3	3.3
Neighborhood Parks	Res-1, Res-2, Res-3	4.9
Community Park	C-1	4.5
Open Space	OS, Linear Park Preserve Overlay	91.0
Trails	All Planning Areas	Approx. 4 Miles
Staging Areas	C-2, Rec-1	2.0
Sports Arena and Training Track	Rec-2	138.7
Horse Park	Rec-1	110.7
Tennis and Swim Center	C-1	6.0
Totals		361.1 acres 4 miles

2.3 Land Use Consistency

All components of this Specific Plan are consistent with the Seaside General Plan (as amended) and the BRP. The Specific Plan utilizes the land use maps and policies of the Seaside General Plan, Monterey County General Plan and BRP as a guide to establish the individual Planning Areas shown on Figure 2.2.

For each Planning Area, the Specific Plan establishes a specific set of permitted land uses, target densities, square footage, and other development regulations. The Planning Areas are utilized and referred to throughout this Specific Plan and are the basic components of development to which all standards, guidelines, and implementation measures apply.

2.4 Land Use Regulation

2.4.1 Summary

Section 2.2 and Figures 2.1 through 2.3 describe the character and location of the proposed Planning Areas within the Specific Plan.

2.4.2 Planning Area Specifications

Table 2.1, Land Use Summary, summarizes the approximate gross acreage, target number of dwellings, target density ranges, and target commercial square footages (if applicable) within each Planning Area. These target numbers are to be used as a guideline, and in no case shall the maximum number of units exceed 1,280.

2.5 Land Use Flexibility

Given that the Specific Plan will be built-out over time, as described in Section 8.2: Phasing, the following measures are intended to give the developer flexibility during final design and construction. The goal of these measures is to ensure that each development phase can meet current market demand at the time of construction.

2.5.1 Transfer of Acreages and Densities Between Land Uses

Within each Planning Area, the developer may, through approval of a Major Modification (see Chapter 8.3) choose to transfer density from one planning area to another provided that the requested density transfer would not exceed the overall total unit counts or square-footages provided in the Specific Plan and that the density transfer would not exceed the targeted number of units within a particular Planning Area by more than 20 percent, as specified in **Table 2.1**.

For example, a developer proposing to construct single-family dwellings within the RES-2 Planning Area (which envisions up to 124 dwellings at up to 5 DU/acre) could request to transfer up to 25 additional dwellings to the Planning Area from any of the surrounding residential Planning Areas, provided that the requested transfer would not exceed the maximum residential unit count of 1,280.

The Specific Plan permits up to 50% of the proposed 400 apartment units within the RM Planning Area to be transferred to the C-2 Planning Area. In addition, the workforce lodging envisioned in the Rec-1 Planning Area can be transferred to the C-1 or C-2 Planning Area.

Finally, this Specific Plan permits up to a 20% modification to the Planning Area acreages, as specified in Table 2.1. In order to transfer acreage from one Planning Area to another Planning Area, the planning areas must be contiguous, excluding roadways.

Seaside Planning Commission or City Council. For a more complete description of administrative review procedures, please refer to Chapter 8: Implementation.

Any design modifications within a particular Planning Area in accordance with the above described density transfer program would be considered a Major Modification and thus would be subject to review and approval by the Planning Commission. For additional information on the requirements for processing a Major Modification, please refer to Chapter 8 – Implementation, Section 8.3.

2.5.2 Permitted Uses

This section sets forth the uses permitted within each of the Planning Areas as described in Section 2.2. The location of each land use is shown on **Figure 2.1, Land Use Map**.

The following symbols indicate if the use is permitted and the type of permit, if any, required for a given use type within a specified Planning Area designation.

- P** Permitted Use (Zoning Clearance Required)
- MUP** Minor Use Permit Required (See Section 17.62.070 of the Seaside Zoning Code)
- UP** Use Permit Required (See Section 17.62.070 of Seaside Zoning Code)

If a listed use does not have a symbol, this indicates that the use is not permitted. Any proposed uses which are not listed in **Table 2.2** may be included within the Specific Plan only after administrative approval by the City's Planning Division, or if appropriate, by the

CHAPTER 2 – Land Use Plan

Table 2.1 Land Use Summary

Planning Area	Gross Acreage	Max. Gross Density	Target Commercial SF	Target Unit Count	Target Hotel Rooms	Qualified Worker Lodging
Multi-Family Residential (RM)*	22.9	20 DU/Acre		426		
Residential 3 (Res-3)	33.6	8 DU/Acre		257		
Residential 2 (Res-2)	26.1	5 DU/Acre		124		
Residential 1 (Res-1)	66.8	7.5 DU/Acre		473		
Commercial 2 (C-2)	24.0	.35 FAR	330,000		200	
Commercial 1 (C-1)	26.9	.20 FAR	205,000		200	
Recreation 2 (Rec-2)**	138.7		225,000			256
Recreation 1 (Rec-1)	110.7		15,000			
Open Space (OS)	72.5					
Veterans Cemetery (VC)	134.8		Per V.C. Master Plan			
Public Facility (PF)	19.9					
Right-of-Way (ROW)	34.2					
Total	711.1		775,000	1,280	656	

*The RM Planning Area includes 400 apartments and 26 detached courtyard homes.

**Rec-2 Planning Area includes a 225,000 square feet sports arena, various barns and equestrian related structures, plus 256 qualified worker lodging in a hotel format. Target square footage does not include lodging units or barns and equestrian-related accessory structures.

This side intentionally left blank

Table 2.2
Permitted Uses

Land Use Category	RM	RES-3	RES-2	RES-1	C-2	C-1	REC-2	REC-1	OS	VC	PF	ROW
RECREATION, EDUCATION, AND PUBLIC ASSEMBLY												
<u>Equestrian Facility</u> - as described in Section 2.2.2 under Recreation 1 Planning Area and includes events and activities such as competitions, horse riding, horse training, horse racing, horse showing, dressage, stadium jumping, cross country jumping, carriage competitions, and any and all other typical equine facilities and events.	---	---	---	---	UP	---	UP	UP	---	---	---	---
<u>Equestrian Facility</u> - Ancillary Uses includes uses typically ancillary to equestrian facilities including but not limited to tack rooms, offices, barns and stables.	---	---	---	---	UP	---	UP	UP	---	---	---	---
<u>Equestrian Outdoor Training/Racing Track</u> - as described in Section 2.2.2 under Recreation 2 and includes, but is not limited to, rack tracks, grandstands, wagering, simulcast facilities, barns, stables, food-service, and other uses and structures typical to this type of commercial horse track facility.	---	---	---	---	---	---	UP	UP	---	---	---	---
Sports Arena with Indoor Seating	---	---	---	---	---	---	P	UP	---	---	---	---
Outdoor Seating Areas (including grandstands)	---	---	---	---	P	P	P	P	---	P	---	---
Meeting Facility, public or private greater than 10,000 sqft	---	---	---	---	UP	UP	MUP	UP	---	UP	---	---
Meeting Facility, public or private less 10,000 sqft	MUP	MUP	MUP	MUP	P	P	P	P	---	P	P	---
Park, Playground	P	P	P	P	P	P	P	P	---	P	---	---
Private or Public Recreation Facility (including Tennis and Swim Center)	UP	UP	UP	UP	P	P	P	P	---	P	---	---
Schools, Public	P	P	P	P	P	P	P	P	---	P	P	---
Schools, Private	---	---	---	---	UP	UP	UP	UP	---	UP	UP	---

Table 2.2
Permitted Uses

Land Use Category	RM	RES-3	RES-2	RES-1	C-2	C-1	REC-2	REC-1	OS	VC	PF	ROW
Outdoor Recreation Facilities (Staging Areas, Kiosks, Restrooms, etc.)	UP	UP	UP	UP	P	P	P	P	---	P	---	P
Construct of New Trails (hiking, equestrian, biking)	P	P	P	P	P	P	P	P	UP	P	P	P
Maintain Existing Multi-Use Trails	P	P	P	P	P	P	P	P	P	P	P	P
Emergency Shelter	---	---	---	---	UP	UP	---	---	---	---	---	---
RESIDENTIAL												
Household Pets (as defined in City of Seaside Municipal Code 17.42.020, Animal Keeping)	P	P	P	P	P	---	---	---	---	---	---	---
Common Interest Residential Subdivisions	UP	UP	UP	UP	---	---	---	---	---	---	---	---
Multi-Family Housing, 2 - 3 Attached Units	P	UP	UP	UP	UP	---	---	---	---	---	---	---
Apartments, Condominiums, Duplexes and other Multi-Family Dwellings	P	UP	UP	UP	P	---	MUP	MUP	---	---	---	---
Community Recreation Center, Neighborhood	MUP	MUP	MUP	MUP	MUP	---	UP	UP	---	---	---	---
Emergency Shelters	---	---	---	---	---	---	UP	UP	---	---	---	---
Home Occupations	P	P	P	P	P	---	---	---	---	---	---	---
Mobile homes / Manufactured Housing (on a single lot)	P	P	P	P	---	---	UP	UP	---	---	---	---
Organization House (Sorority, monastery, etc.)	UP	---	---	---	---	---	---	---	---	---	---	---
Residential accessory uses and structures	P	P	P	P	---	---	---	---	---	---	---	---
Residential care homes, 6 or fewer clients	---	P	P	P	---	---	---	---	---	---	---	---
Residential care homes, 7 or more clients	---	UP	UP	UP	---	---	---	---	---	---	---	---
Rooming and boarding houses, 3 or more persons	---	---	---	---	---	---	---	---	---	---	---	---
Secondary Housing Units	---	---	---	---	---	---	---	---	---	---	---	---

Table 2.2
Permitted Uses

Land Use Category	RM	RES-3	RES-2	RES-1	C-2	C-1	REC-2	REC-1	OS	VC	PF	ROW
Senior residential projects (Single or Multi-Family)	UP	UP	UP	UP	UP	---	---	---	---	---	---	---
Single-family dwelling - Attached	P	P	P	P	---	---	---	MUP	---	---	---	---
Single-family dwelling - Detached	P	P	P	P	---	---	---	MUP	---	---	---	---
Transitional / Supportive housing	UP	---	---	---	---	---	---	---	---	---	---	---
MEDICAL SERVICES												
Assisted Living / Congregate Care Facility	UP	---	---	---	MUP	MUP	---	---	---	---	---	---
Convalescent Care Facility (with continuous skilled nursing care)	UP	---	---	---	MUP	MUP	---	---	---	---	---	---
Hospital	---	---	---	---	---	UP	---	---	---	---	---	---
Medical Office / Clinic / Lab	---	---	---	---	P	UP	P	P	---	---	---	---
Pharmacies and Drug Stores	---	---	---	---	P	P	---	---	---	---	---	---
Pharmacies as accessory use	---	---	---	---	P	UP	---	---	---	---	---	---
Veterinarian clinic and animal hospital (including animal boarding)	---	---	---	---	UP	---	UP	UP	---	---	---	---
PUBLIC CULTURAL FACILITIES												
Cultural facility	UP	UP	---	---	P	P	P	P	---	P	---	---
Museum	---	---	---	---	P	P	P	P	---	P	---	---
Cemetery and other memorial facilities	---	---	---	---	---	---	---	---	---	P	---	---
PUBLIC FACILITIES												
Government Offices	---	---	---	---	P	P	---	---	---	P	P	---
Other Government Facilities	---	---	---	---	P	P	---	---	---	---	P	---
Library	---	---	---	---	P	P	---	P	---	P	P	---

Table 2.2
Permitted Uses

Land Use Category	RM	RES-3	RES-2	RES-1	C-2	C-1	REC-2	REC-1	OS	VC	PF	ROW
Police / Fire Station	UP	UP	UP	UP	P	P	P	P	---		P	---
Police Storefront / Substation	UP	UP	UP	UP	P	P	MUP	---	---	MUP	P	---
Outdoor or Indoor Equipment Storage	---	---	---	---	---	---	P	p	---	---	P	---
Municipal Corporation / Maintenance Yard	---	---	---	---	---	---	---	---	---	---	P	---
	---	---	---	---	---	---	---	---	---	---	---	---
RELIGIOUS	---	---	---	---	---	---	---	---	---	---	---	---
Church / place of worship	---	---	---	---	P	P	UP	UP	---	P	---	---
NON-PROFIT/SERVICE ORGANIZATIONS - 501 (C)(3)												
Campaign Offices	---	---	---	---	P	P	---	---	---	---	---	---
Charitable Distribution Services (i.e. food banks, etc.)	---	---	---	---	UP	UP	---	---	---	---	---	---
Charitable, Philanthropic, Service and other Non-profit Organization Offices	---	---	---	---	P	P	P	P	---	P	---	---
UTILITIES												
Public Utility / Service Structure	P	P	P	P	P	P	P	P	P	P	P	P
Public Utility Office	---	---	---	---	P	P	---	---	---	---	P	---
Telecommunication Facility: non-wireless communication related buildings and facilities such a telephone switching station	UP	UP	UP	UP	UP	UP	UP	UP	UP	UP	UP	UP
COMMERCIAL												
ALCOHOL												
Alcoholic Beverage Sales	---	---	---	---	UP	UP	UP	UP	---	---	---	---
Brewery	---	---	---	---	UP	UP	UP	UP	---	---	---	---

Table 2.2
Permitted Uses

Land Use Category	RM	RES-3	RES-2	RES-1	C-2	C-1	REC-2	REC-1	OS	VC	PF	ROW
Wine / Beer Specialty Shop	---	---	---	---	UP	UP	UP	UP	---	---	---	---
Wine Tasting	---	---	---	---	UP	UP	UP	UP	---	---	---	---
<i>AUTOMOBILE RELATED SERVICES</i>												
Automotive Parts and Accessories Stores	---	---	---	---	UP	UP	UP	---	---	---	---	---
Service Station	---	---	---	---	UP	UP	---	---	---	---	---	---
	---	---	---	---	---	---	---	---	---	---	---	---
<i>COMMUNICATIONS</i>												
Wireless Telecommunications Facilities	UP	UP	UP	UP	UP	UP	UP	UP	UP	UP	UP	UP
Satellite Dish Antenna, Small - 1 meter (39.37 inches) or less in diameter	P	P	P	P	P	P	P	P	---	P	P	---
Commercial Satellite Antennas - 6 meters or less in diameter	---	---	---	---	UP	UP	P	UP	---	UP	UP	---
Recording and Sound Studios	---	---	---	---	P	P	P	P	---	---	---	---
<i>DAY CARE FACILITIES</i>												
Child Day Care Center	---	---	---	---	UP	UP	UP	---	---	---	UP	---
Large Family Day Care Home (9 to 14 children)	---	UP	UP	UP	---	---	---	---	---	---	---	---
Small Family Day Care Home (6 +2 school age children)	---	P	P	P	---	---	---	---	---	---	---	---
<i>EATING / DRINKING PLACES & FOOD SERVICES</i>												
Bar / Cocktail Lounge	---	---	---	---	UP	UP	MUP	UP	---	---	---	---
Night Club	---	---	---	---	UP	UP	MUP	UP	---	---	---	---
Banquet Hall	---	---	---	---	MUP	MUP	MUP	MUP	---	MUP	---	---
Catering Establishment	---	---	---	---	MUP	MUP	MUP	MUP	---	---	---	---

Table 2.2
Permitted Uses

Land Use Category	RM	RES-3	RES-2	RES-1	C-2	C-1	REC-2	REC-1	OS	VC	PF	ROW
Restaurants (counter service)	---	---	---	---	P	P	MUP	MUP	---	---	---	---
Restaurants (table service)	---	---	---	---	P	P	MUP	MUP	---	---	---	---
<i>ENTERTAINMENT AND RECREATION</i>												
Adult-entertainment Business	---	---	---	---	---	---	---	---	---	---	---	---
Athletic Fields	P	P	P	P	P	P	P	P	---	---	---	---
Indoor Recreation (such as tennis, raquetball, gymnasiums, jump houses, and similar uses)												
Auditoriums & Other Public Assembly Facilities	---	---	---	---	MUP	MUP	MUP	MUP	---	---	---	---
Bowling Alley	---	---	---	---	UP	UP	P	---	---	P	---	---
Dance Hall/Dance Studio	---	---	---	---	MUP	MUP	MUP	---	---	---	---	---
Health and Fitness Club	---	---	---	---	MUP	MUP	MUP	---	---	---	---	---
Live Entertainment	---	---	---	---	MUP	MUP	MUP	---	---	---	---	---
Motion Picture Theater	---	---	---	---	P	P	---	---	---	---	---	---
Pool and billiard rooms	---	---	---	---	P	UP	---	---	---	---	---	---
Skate Park	---	---	---	---	P	P	---	---	---	---	P	---
Tennis / Swim Club	---	---	---	---	P	P	---	---	---	---	---	---
Theaters	---	---	---	---	P	P	---	---	---	---	---	---
<i>LODGING</i>												
Bed and Breakfast Inn	---	---	---	---	MUP	MUP	---	---	---	---	---	---
Hotels / Motels	---	---	---	---	MUP	MUP	MUP	---	---	---	---	---
<i>SERVICE - BUSINESS, FINANCIAL, PROFESSIONAL</i>												
ATM	---	---	---	---	P	P	P	P	---	---	---	---
Bank, financial services	---	---	---	---	P	P	---	---	---	---	---	---

Table 2.2
Permitted Uses

Land Use Category	RM	RES-3	RES-2	RES-1	C-2	C-1	REC-2	REC-1	OS	VC	PF	ROW
Business Park	---	---	---	---	---	P	---	---	---	---	---	---
Business support services	---	---	---	---	P	P	P	---	---	---	---	---
Office-Accessory	---	---	---	---	P	P	---	---	---	---	---	---
Office-Business/service	---	---	---	---	P	P	---	---	---	---	---	---
Office-Government	---	---	---	---	P	P	---	---	---	---	P	---
Office-Processing	---	---	---	---	P	P	---	---	---	---	---	---
Office-Professional/administrative	---	---	---	---	P	P	---	---	---	---	---	---
<i>RETAIL STORES</i>												
Antique Stores	---	---	---	---	P	UP	---	---	---	---	---	---
Art Galleries and Art Supply Store	---	---	---	---	P	UP	---	---	---	---	---	---
Beauty Supply Store	---	---	---	---	P	UP	---	---	---	---	---	---
Book Stores	---	---	---	---	P	UP	---	---	---	---	---	---
Garden Supply / Nursery	---	---	---	---	P	UP	---	---	---	---	---	---
Hardware Store	---	---	---	---	P	UP	---	---	---	---	---	---
Camera and Photographic Supply Store	---	---	---	---	P	UP	---	---	---	---	---	---
Cigar and other Tobacco Products Store	---	---	---	---	P	UP	---	---	---	---	---	---
Clothing & Accessory Stores	---	---	---	---	P	UP	---	---	---	---	---	---
Computer and Home Electronic Stores	---	---	---	---	P	UP	---	---	---	---	---	---
Florist	---	---	---	---	P	UP	---	---	---	---	---	---
<i>FOOD AND BEVERAGE STORES</i>												
Bakery - Retail (at least % retail sales)	---	---	---	---	P	UP	---	---	---	---	---	---
Convenience Store	---	---	---	---	UP	UP	---	---	---	---	---	---
Delicatessen	---	---	---	---	P	UP	---	---	---	---	---	---

Table 2.2
Permitted Uses

Land Use Category	RM	RES-3	RES-2	RES-1	C-2	C-1	REC-2	REC-1	OS	VC	PF	ROW
Grocery Store or specialty food store -less than 15,000 sqft	---	---	---	---	MUP	MUP	---	---	---	---	---	---
Grocery Store or specialty food store - greater than 15,000 sqft	---	---	---	---	UP	UP	---	---	---	---	---	---
Furniture and Home Furnishing Stores	---	---	---	---	MUP	UP	---	---	---	---	---	---
<i>GENERAL MERCHANDISE STORES</i>												
Department	---	---	---	---	P	UP	---	---	---	---	---	---
Discount / Variety Store (new products at a discounted price)	---	---	---	---	UP	UP	---	---	---	---	---	---
Big Box/Warehouse Retail Stores	---	---	---	---	UP	UP	---	---	---	---	---	---
Guns and Ammunition Store including shooting range	---	---	---	---	UP	UP	---	---	---	---	---	---
Hobby, Toy and Game Store	---	---	---	---	P	UP	---	---	---	---	---	---
Home Appliance Store	---	---	---	---	P	UP	---	---	---	---	---	---
Jewelry Store	---	---	---	---	P	UP	---	---	---	---	---	---
Luggage and Leather Goods	---	---	---	---	P	UP	---	---	---	---	---	---
Music and Video Stores	---	---	---	---	P	UP	---	---	---	---	---	---
Office Supply, Stationery & Gift Stores	---	---	---	---	P	UP	---	---	---	---	---	---

Circulation Plan

3.1 Introduction

The Specific Plan's circulation network is intended to provide more than a means of fulfilling the region's vehicle capacity, parking and access requirements. While these more technical aspects of circulation are critical in achieving a desirable place to live, neighborhood value is also enhanced through spaces that provide non-motorized transportation within a circulation network. The Circulation Plan places an emphasis on pedestrian, bicycle, and equestrian circulation, integrated with the vehicular network. Bike lanes, paseos, pathways, staging areas, and trails are designed to provide healthy, walkable neighborhoods and convenient access to the surrounding open space and trail network.

3.2 Summary of Existing Vehicular Access

The Specific Plan area is located in the geographic center of the former Fort Ord at the intersection of Gigling Road and Eighth Street. As a result, a number of existing roadways currently provide local access to the Specific Plan area. These existing roads are shown on **Figure 3.1**.

It should be noted that many of the existing roadways within and around the site are not currently open to the public. These include Eucalyptus Road, Parker Flats Road, Hayfork Road, Gigling Road (east of 8th Avenue), 8th Avenue (south of Gigling Road, and Parker Flats Cut-Off (south of Normandy Road).

Regional access to the Specific Plan area is provided by Highway 1 that runs north/south along the coast of California. General Jim Moore Boulevard runs parallel to Highway 1 providing a local alternative north/south route to the area. Primary east/west routes to the area include Colonel Durham Street (via Light Fighter Drive), Gigling Road and Normandy Road/Parker Flats Road.

3.3 Planned Vehicular Circulation

3.3.1 FORA Capital Improvement Program (CIP)

The former Fort Ord is located between the Monterey Peninsula and the City of Salinas. The two main routes from the Peninsula to Salinas are State Route 68, which is south of the former Fort Ord, and

Imjin Parkway, through the former Fort Ord, to Reservation Road and Blanco Road.

The reuse of former Fort Ord (including a build-out of over 22,000 dwellings and over 14 million square feet of retail/commercial space) requires improvements to roads both within and beyond its boundary. Traffic impacts resulting from planned development are mitigated through the base-wide Fort Ord Reuse Authority (FORA) development fees (enacted in 1997). The project will contribute its fair share towards these development fees, some of which will be utilized for traffic improvements. To date, FORA has allocated Capital Improvement Program (CIP) funds to improve existing roadway infrastructure and add new roadways segments. Several of these roadway improvement projects are located within and adjacent to the Specific Plan boundary and are currently underway. For example, Intergarrison Road to the north and General Jim Moore Boulevard and Eucalyptus Road to the south are currently being improved to their ultimate right-of-way configuration as specified in the CIP implementation plan. **Figure 3.2** highlights the extent of planned CIP roadway improvements.

Access to the Specific Plan area will be provided by the future Eastside Parkway (via Eucalyptus Road) and Gigling Road. The Eastside Parkway will be a two lane arterial road which will bisect the Specific Plan area and become a primary circulation route. Improvements to the Eastside Parkway have been identified in the Fort Ord Base Reuse Plan (BRP) CIP, and therefore roadway improvements will be completed by FORA.

Similarly, the CIP also includes plans to widen Gigling Road between General Jim Moore Boulevard and its intersection with the future Eastside Parkway alignment.

3.3.2 Other Planned Roadways

Within the boundaries of the Specific Plan, the circulation framework caters to multiple modes of transportation. Essentially, the vehicular circulation framework consists of a Primary Circulation Network (backbone roadway infrastructure), and an Internal Circulation Network (neighborhood serving roadway infrastructure). **Figure 3.3** Illustrates the proposed Primary Vehicular Circulation Network. The configuration of the Internal Circulation Networks will be formally designed as part of each individual development phase.

The Primary Circulation Network includes Eastside Parkway and Gigling Road, as described in Section 3.3.1 above. The other roadways included in the Primary Circulation Network are 7th Street, 8th Street, Colonel Durham Street, Gigling Extension, Parker Flats Road, Parker Flats Cutoff, and Hayfork Road.

Portions of these roads will be improved as part of the Specific Plan area's development program, as follows:

- Improvements to 7th and 8th Street are anticipated from the Specific Plan's northern boundary to Gigling Road.
- Improvements to Colonel Durham Street from the Specific Plan's western boundary to 8th Street.
- Monterey Downs Road (currently the southern extent of 8th Street) will be physically extended from the future Gigling Road and

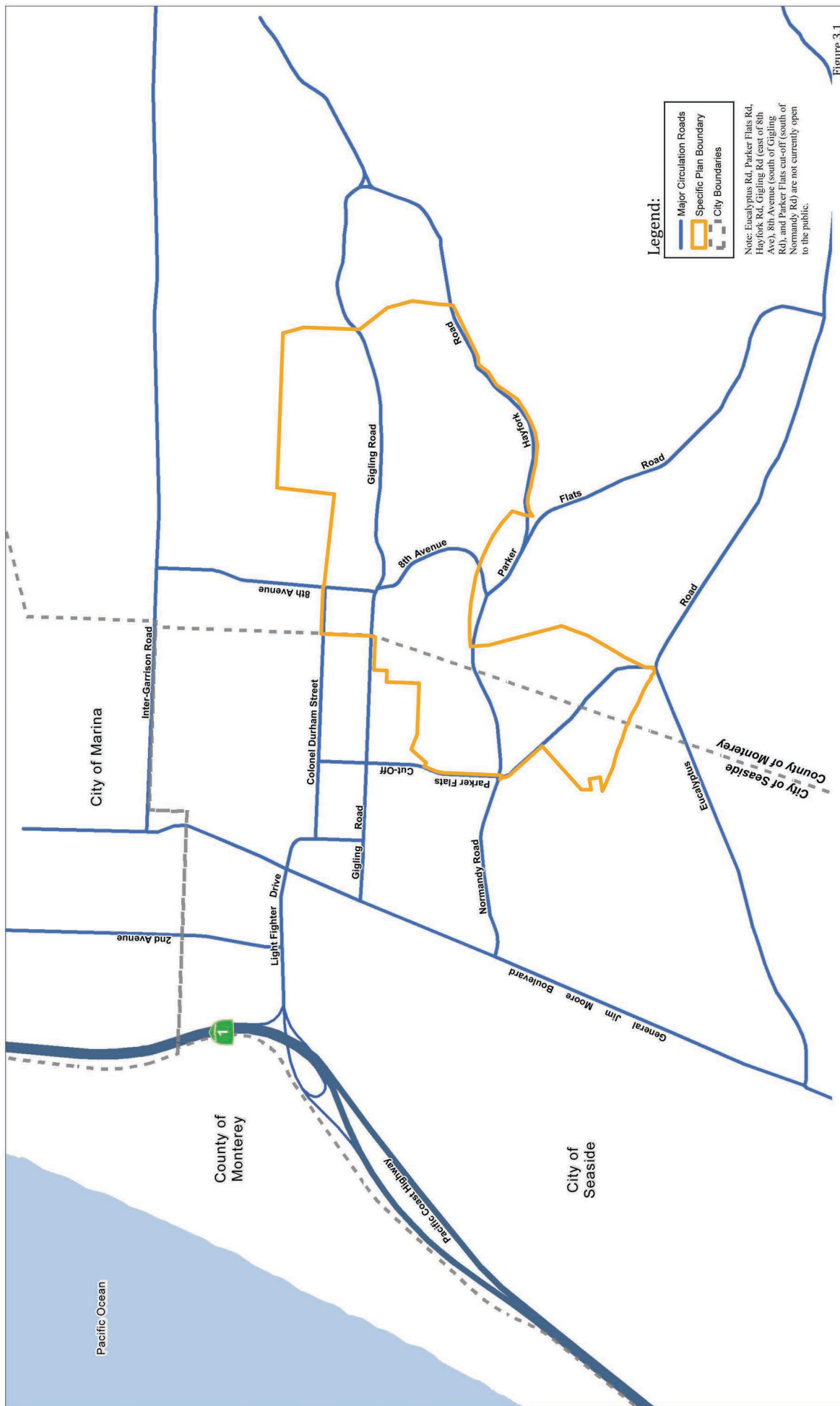


Figure 3.1

Existing Major Roads



MONTEREY DOWNS & MONTEREY HORSE PARK & C.C.V.C. Specific Plan



0 800 1,600 3,200 Feet

This side intentionally left blank



Reference: For Orissa Authority FY 2011/2012 through 2021/2022 Capital Improvement Program



0 800 1,600 3,200 Feet



MONTEREY DOWNS & MONTEREY HORSE PARK & C.C.V.C. Specific Plan

FORA Capital Improvement Program Projects

Figure 3.2

This side intentionally left blank

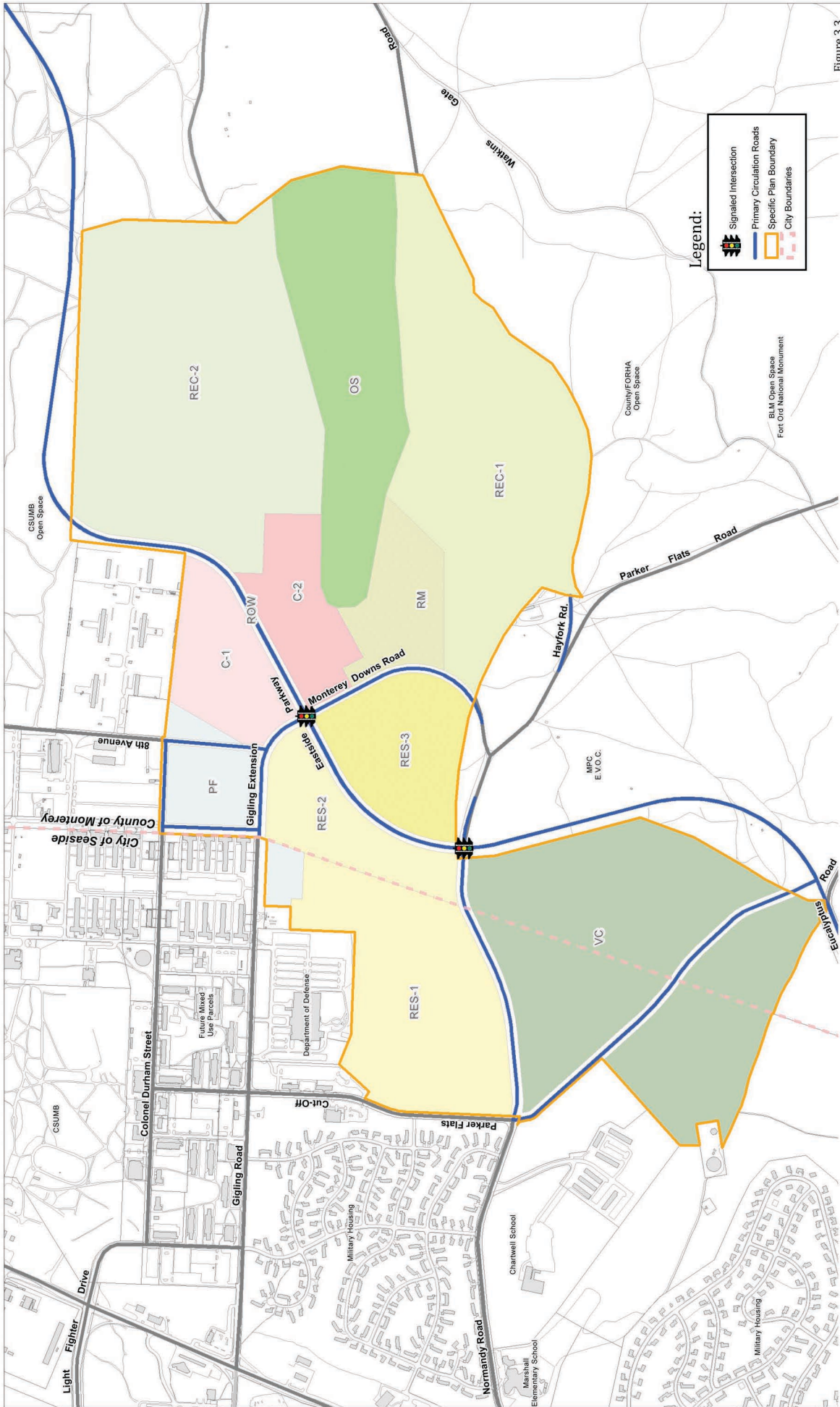


Figure 3.3

Primary Circulation Network
with Signaled Intersections



MONTEREY DOWNS & MONTEREY HORSE PARK & C.C.V.C. Specific Plan



This side intentionally left blank

CHAPTER 3 – Circulation Plan

- Eastside Parkway intersection near its intersection with Parker Flats Road.
- Improvements along Parker Flats Cutoff are envisioned from Parker Flats Road through the Veterans Cemetery Planning Area until its intersection with Eucalyptus Road.
- Hayfork Road will be improved from Parker Flat Road to the western Rec-1 Planning Area boundary.

The Internal Circulation Network will be located within each of the Planning Area boundaries. Internal Residential roadway points of connection are primarily located off of Gigling Extension, Monterey Downs Road and Parker Flats Road.

Commercial driveway/roadway entrances are anticipated along Eastside Parkway, Monterey Downs Road, Gigling Extension, and 8th Street. The planned Seaside Public Works Corporate Yard parcel may also take access from Colonel Durham Street and 7th Street.

Due to the planned Eastside Parkway alignment, dedicated entrances from the Eastside Parkway are planned along the northern boundary of the Rec-2 Planning Area through the Cal State University Monterey Bay (CSUMB) parcel. These entrances are illustrated on Figure 3.3, Primary Circulation Network with Signaled Intersections.

Based upon preliminary estimates of vehicle trips along roadways within the project area, traffic signals are planned at the Eastside Parkway and Gigling Road intersection, and the Eastside Parkway and Parker Flats Road intersection. Additional traffic signals may be needed based upon the conclusion of the traffic

impact report being prepared for the EIR. The roadways located within the Primary Network are proposed to be public road and the roadways within the Internal Circulation Networks are proposed to be private.

3.4 Street Design

As discussed above, the Specific Plan contains a network of primary and internal streets, which are arranged in a modified grid pattern. This network is designed to integrate multiple modes of transportation including vehicular, bus, bicycle, pedestrian, and equestrian.

Several types of streets are proposed, each with a different character and function. In addition to efficient vehicle circulation, these streets will promote safe pedestrian, bicycle and equestrian connections between residential neighborhoods, the Country Walk town center, the equestrian recreation uses, and the parks and open space within and beyond the Specific Plan project area.

All streets within the Specific Plan area will have a minimum pavement area designed to accommodate movement of emergency vehicles (including fire and police).

Additional street design details for each proposed street type (such as a description of function and character, street cross-section, and design speed, etc.) are provided on the following pages.

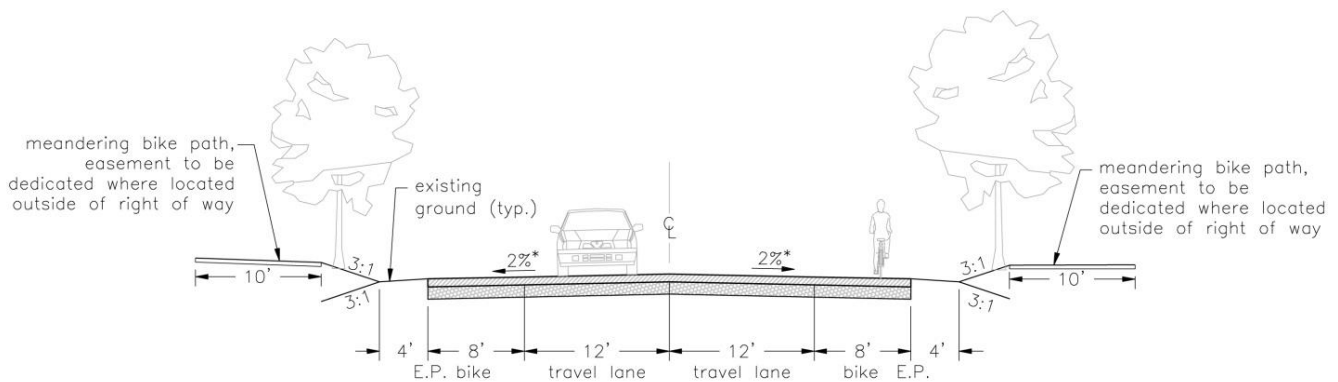
Sections 3.4.6 through 3.4.9 illustrate the design details for private residential roadways known as Neighborhood Streets and Lanes.

3.4.1 Eastside Parkway

Description:

The Eastside Parkway will serve as one of the primary entrances to the Specific Plan area. The curvilinear roadway will extend northeast from its intersection with Eucalyptus Road where it intersects with Parker Flats Road. This segment of roadway is within MPC's EVOC property, just east of the Veterans Cemetery. North of Parker Flats Road, Eastside Parkway bisects the project site until continuing to the northeast beyond the Specific Plan area. Adjacent land uses along this segment include the Res-2 and Res-3 Planning Area residential neighborhoods, the commercial uses in the C-1 and C-2 Planning Areas, and the equestrian uses proposed in the Rec-2 Planning Area.

Movement	Free
Design Speed	35 mph
Travel Lanes	Two way, two lanes
Parking	None
ROW Width	100 feet
Curb Type	None
Sidewalk Width	None
Bicycle Lane	Class I and Class II
Landscape	Continuous Planting with native groundcover and shrubs



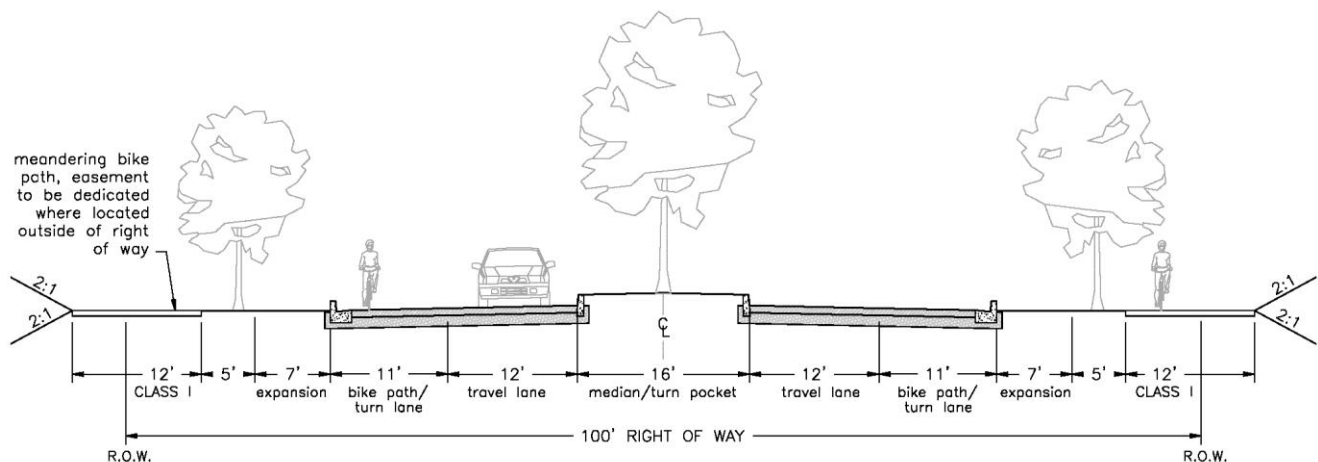
CHAPTER 3 – Circulation Plan

3.4.2 Eastside Parkway (Optional Section)

Description:

This optional section would replace the Eastside Parkway road section described in 3.4.1 for the segment of Eastside Parkway between the Parker Flats Road intersections to approximately 1000 feet north of the Monterey Downs Road intersection. The section includes Class I bike paths that would meander in and out of the right-of-way within the Linear Park areas of the Specific Plan, allowing these paths to work with the terrain and provide a comfortable buffer between the travel lanes and the bike paths. The road would be built with two lanes, but would be expandable to four lanes in the future.

Movement	Free
Design Speed	35 mph
Travel Lanes	Two way, two lanes (with future expansion to four lanes)
Parking	None
ROW Width	100 feet
Curb Type	Raised
Sidewalk Width	None
Bicycle Lane	Class I and Class II
Landscape	Continuous Planting with native groundcover and shrubs

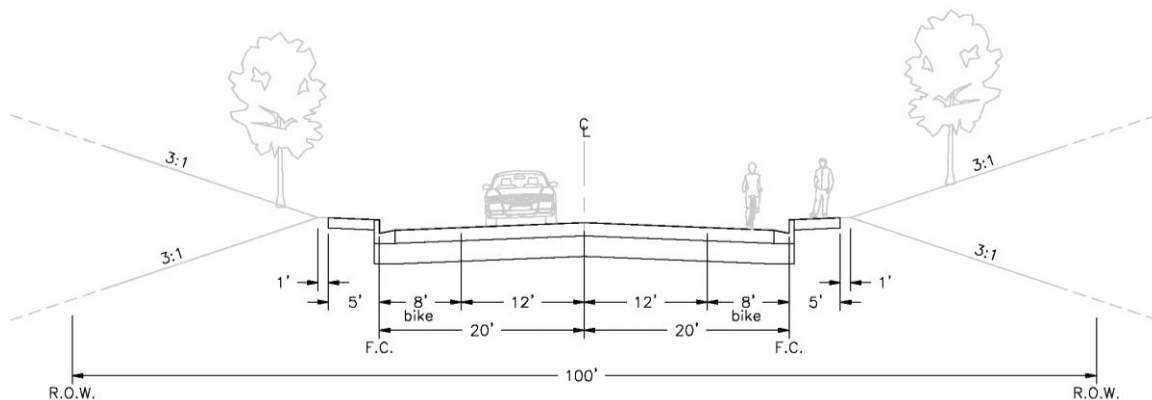


3.4.3 Parker Flats Road

Description:

Parker Flats Road will serve as one of the primary entrances to the Specific Plan area. The roadway will extend eastward from its intersection with Normandy Road. Adjacent land uses along this segment include the residential neighborhoods located in the Res-1 Planning Area to the north and the Veterans Cemetery to the south. Parker Flats Road ultimately intersects with the Eastside Parkway at the primary project entrance.

Movement	Free
Design Speed	35 mph
Travel Lanes	Two way, two lanes
Parking	None
ROW Width	100 feet
Curb Type	Raised
Sidewalk Width	5 feet
Bicycle Lane	Class II
Landscape	Continuous Planting with native groundcover and shrubs



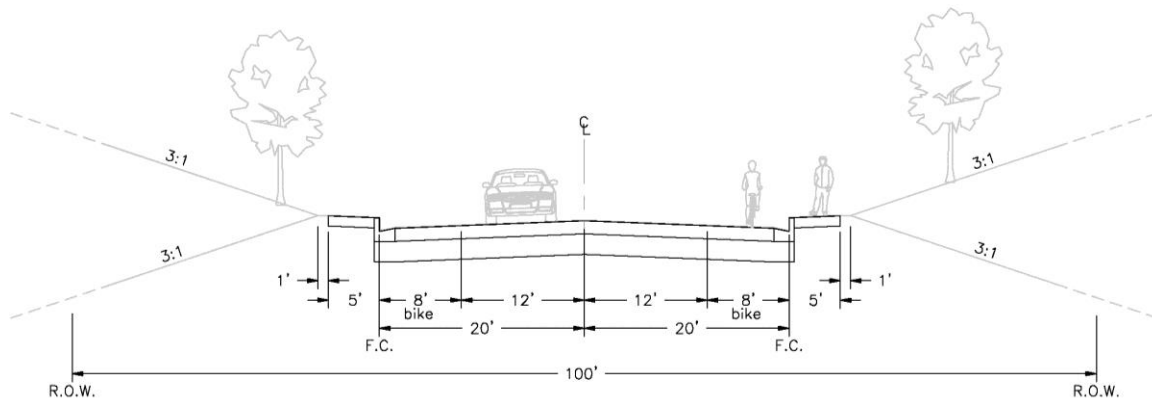
CHAPTER 3 – Circulation Plan

3.4.4 Parker Flats Cutoff

Description:

Parker Flats Cutoff will extend south and southeast from its intersection with Gigling Road. Half street improvements are planned along the segment extending south from Gigling Road along the frontage of the Res-1 Planning Area. Full street improvements are planned for the segment extending southeast from Normandy Road to its intersection with Eucalyptus Road. This segment traverses the VC Planning Area.

Movement	Free
Design Speed	35 mph
Travel Lanes	Two way, two lanes
Parking	None
ROW Width	100 feet
Curb Type	Raised
Sidewalk Width	5 feet
Bicycle Lane	Class II
Landscape	Continuous Planting with native groundcover and shrubs

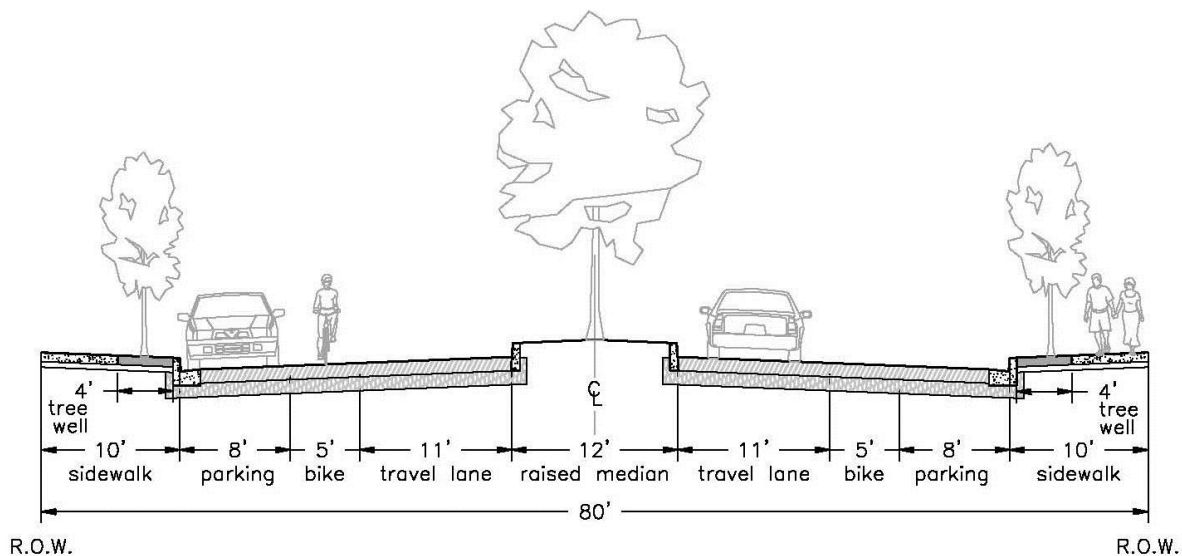


3.4.5 Monterey Downs Road (Formally 8th Street)

Description:

Monterey Downs Road will be a moderate-speed link providing access for vehicles, bicycles and pedestrians into the center of the community. Adjacent land uses will include the "Country Walk" town center (C2 Planning Area), single-family residential within the Res-3 Planning Area, multi-family residential within the RM Planning Area and equestrian uses within the Rec-1 Planning Area. On-street parking will be permitted on both sides of the street.

Movement	Free
Design Speed	25 mph
Travel Lanes	Two way, two lanes
Parking	Parallel on both sides
ROW Width	80 feet
Curb Type	Raised
Sidewalk Width	10 feet
Bicycle Lane	Class II
Landscape	Continuous Planting with native groundcover, trees, and shrubs



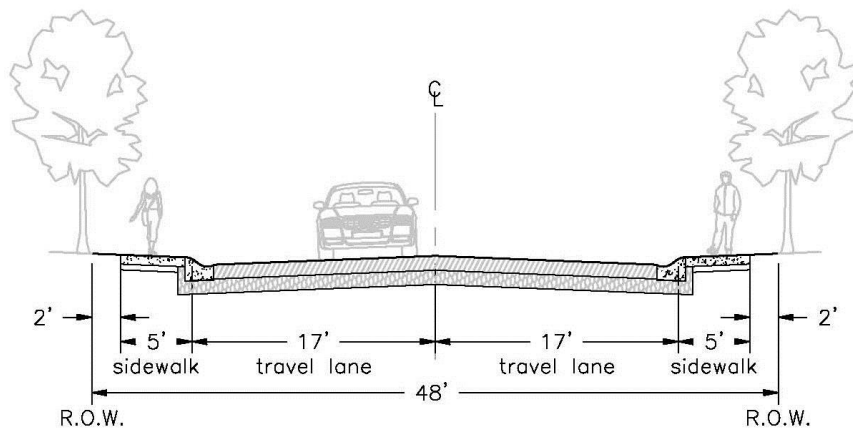
CHAPTER 3 – Circulation Plan

3.4.6 Neighborhood Streets

Description:

Each neighborhood street will be designed to be a small-scale, moderate-speed private roadway providing access to residential neighborhoods and parks. The streets will primarily be located around the perimeter of the single-family neighborhoods (Res-1, Res-2, and Res-3 Planning Areas) and between single-family and the multi-family dwellings (RM Planning Area). These streets will be strategically located to provide green connections between parks and open spaces.

Movement	Free
Design Speed	25 mph
Travel Lanes	Two way, two lanes
Parking	Parallel on both sides
ROW Width	48 feet
Curb Type	Rolled
Sidewalk Width	5 feet
Bicycle Lane	Class III
Landscape	Continuous planting with street trees, grasses, and other native ground covers (low water use).

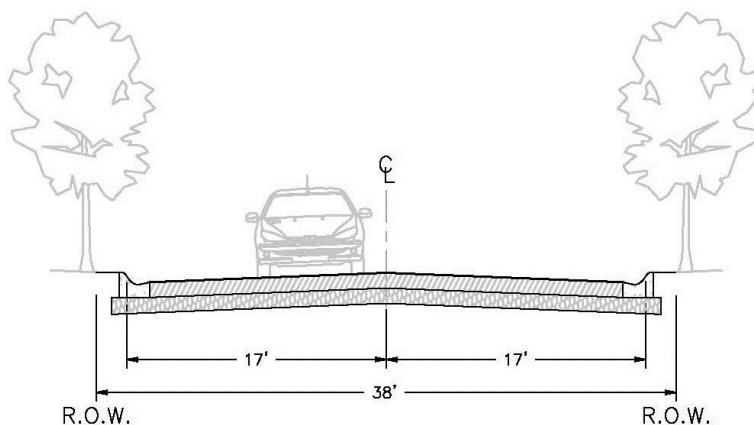


3.4.7 Neighborhood Lanes

Description:

Each neighborhood lane will be designed to be a small-scale, slow-speed private roadway with each Lane providing access to a minimal number of residential homes in the Res-1, Res-2, Res-3 Planning Areas. These Neighborhood Lanes will be shorter in length and see less traffic volume than Neighborhood Streets. Raised Traffic Circles will be utilized at the intersection with linear parks and paseos to slow vehicles, beautify the roadway, and provide off-street pedestrian connections. Due to these various design features such as proximity to off-street pedestrian paths, slow vehicular speeds, and short roadway lengths, these Lanes do not require sidewalks.

Movement	Free
Design Speed	15 mph
Travel Lanes	Two way, two lanes
Parking	Parallel on both sides
ROW Width	48 feet
Curb Type	Rolled
Sidewalk Width	None
Bicycle Lane	Class III
Landscape	Continuous planting with drought-tolerant grasses, and ground cover (low water use).



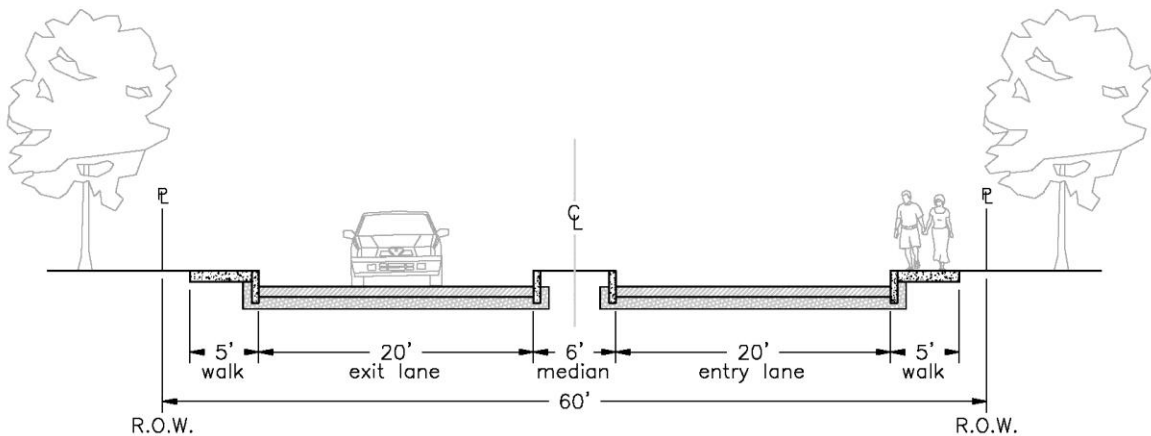
CHAPTER 3 – Circulation Plan

3.4.8 Neighborhood Entry Street

Description:

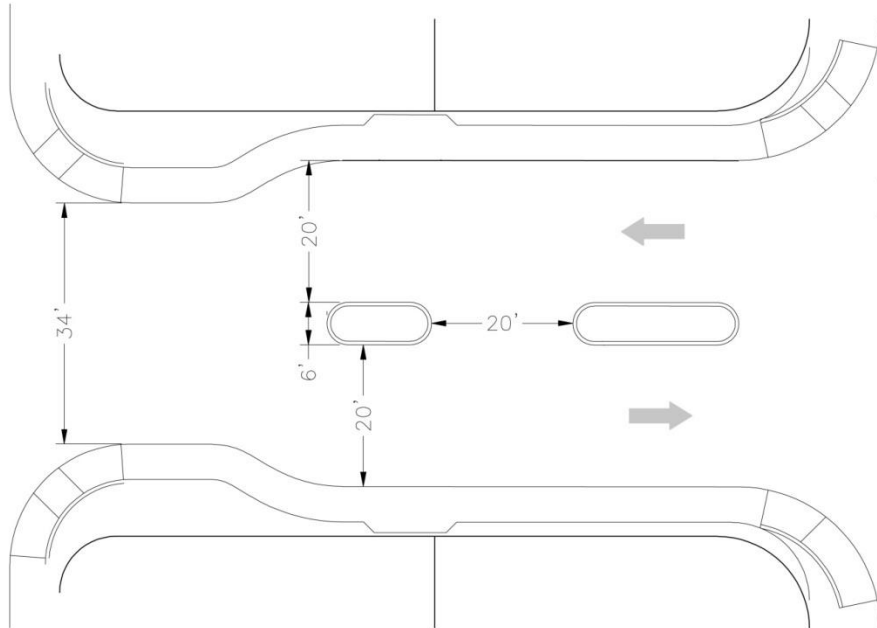
Each neighborhood entry street will be designed as a small-scale, moderate-speed private street providing access to residential neighborhoods from Parker Flats Cutoff, Eastside Road, Monterey Downs Road and the Gigling Extension. The streets will provide direct access to each single-family neighborhood (Res-1, Res-2, and Res-3 Planning Areas) and the Residential Multi-family (RM) neighborhood. These streets will have landscape medians to enhance the entries and may be gated.

Movement	Free
Design Speed	25 mph
Travel Lanes	Two way, two lanes
Parking	None
ROW Width	60 feet
Curb Type	Raised
Sidewalk Width	5 feet
Bicycle Lane	Class III
Landscape	Continuous planting with drought-tolerant grasses, and ground cover (low water use).

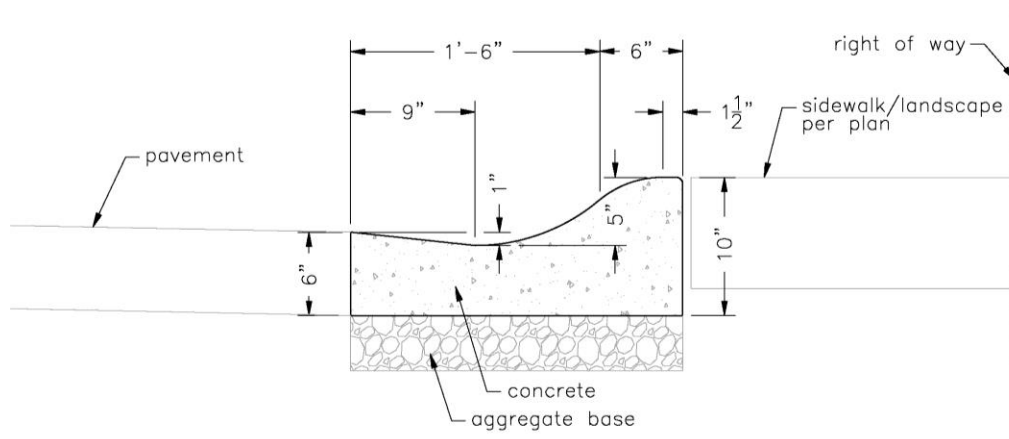


3.4.9 Private Neighborhood Streets and Lane Design Standards

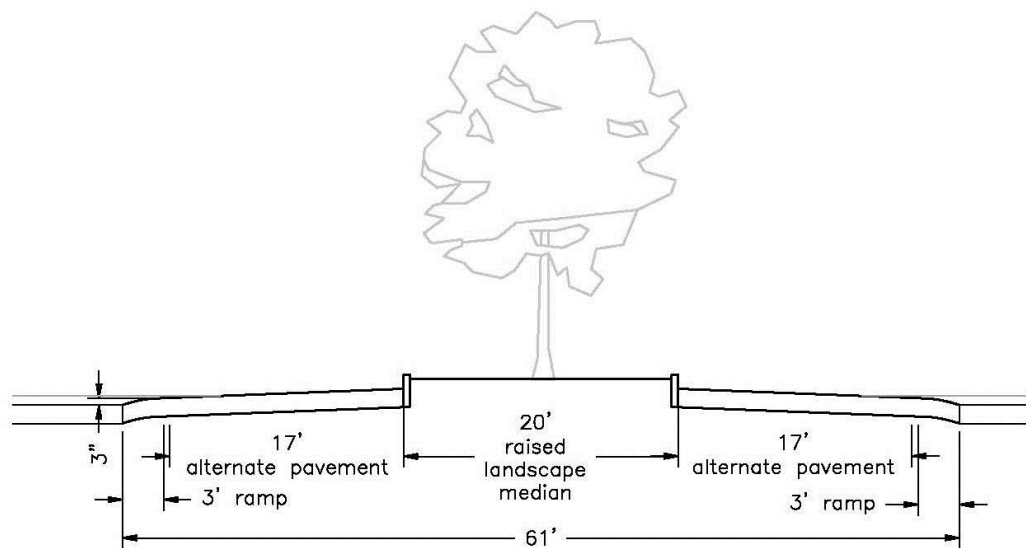
Neighborhood Entry Street Detail



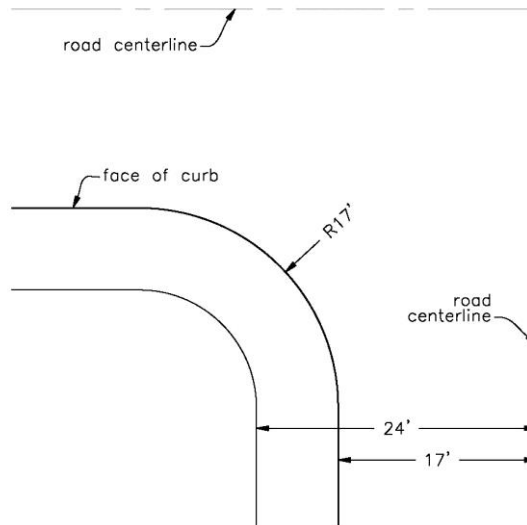
Roll Curb Detail



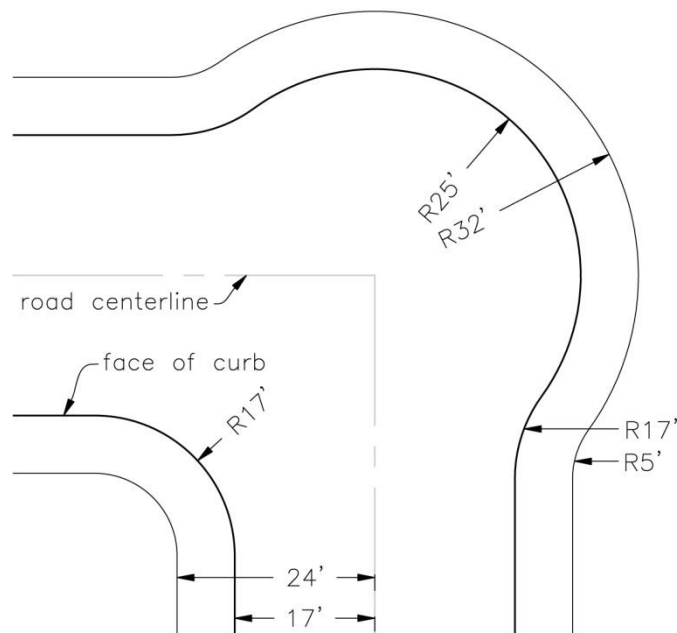
Raised Traffic Circle Detail (for Neighborhood Lanes)



Curb Radii Detail



Knuckle Detail



3.5 Regional Pedestrian Circulation & Trails Planning

Within the vicinity of the Specific Plan area, the Fort Ord National Monument (managed by the Bureau of Land Management (BLM)) offers approximately 7,200 acres of open space (with an additional 7,450 planned) and 86 miles of trails for hikers, mountain bikers, horseback riders, wildlife/wildflower photographers, and nature enthusiasts. These spectacular natural wildlands are located east and south of the Specific Plan area. Between the Specific Plan boundary and the BLM land, there are significant areas designated as open space as part of the Fort Ord Recreational Habitat Area (FORHA). The FORHA open space acts as a buffer and transition between the proposed Specific Plan development and the National Monument. The FORHA open space will connect these areas with a future trail system. **Figures 3.4a and 3.4b** illustrate this existing trail network.

The Specific Plan's pedestrian circulation and trail plan will help improve access to the preserved recreation areas within FORHA and the adjoining BLM lands. In essence, each Planning Area has been designed with interconnected streets, blocks and parks, numerous pedestrian trails, and bikeways as envisioned in the BRP. These recreational enhancements will not only benefit the future businesses and residents within the Specific Plan area, but also help attract visitors to the region.

In addition, Seaside developed a bicycle plan and the Transportation Agency for Monterey County (TAMC) developed a comprehensive bicycle and pedestrian

master plans, which further enhance recreational opportunities for the region.

3.5.1 Proposed Multi-Use Trail Circulation Plan

Off-street multi-use pathways, tree-lined sidewalks, landscaped paseos, preserved open space/recreation areas, staging areas, and public gathering spaces are proposed in the Specific Plan to encourage walking, cycling and even equestrian travel as an alternative to short auto trips.

A critical aspect of the Specific Plan's neighborhood village concept is the safety of pedestrians, equestrians, and cyclists. Therefore, regional trail connections through the project site and connections to the surrounding open space preserve areas will be established via dedicated Class I (off-street) multi-use pathways and Class II (on-street) bike lanes. In addition, the Specific Plan proposes to set-aside a substantial quantity of land along both sides (within and adjacent to the road right-of-ways) of the Eastside Parkway, a portion of the Gigling Extension, and the north side of Parker Flats Road. These areas are classified as Linear Park Overlay zones on the Land Use Plan and will contain a combination of native habitat preservation, native habitat restoration, and multi-use trails.

A network of multi-use trails is also proposed within the OS Planning Area and within the Rec-2, Rec-1, and C-2 Planning Areas.

Two staging areas are provided in the C-2 and Rec-1 Planning Areas. The staging area within the C-2 Planning Area is located adjacent to OS Planning Area and encompasses approximately 1 acre. This area will be located in the southern

portion of Country Walk and will include a bike center, dog barn, horse tie up, barn/livery, and restrooms.

In addition, a staging area will be located at the south east corner of the project boundary within the Rec-1 Planning Area. This staging area will include horse stables, RV camping, restrooms and parking. Trail access will be provided to the adjacent FORHA lands and the National Monument.

The former Fort Ord and the greater BLM lands are currently utilized by cyclists of all types and abilities. As described above, the proposed network of multi-use trails and designated network of bicycle lanes will support the cycling community and its desire to access the hundreds of miles of trails present throughout Fort Ord.

In addition, a cross country equestrian course is envisioned adjacent to the proposed OS Planning Area and within the adjacent preserved open spaces east of the Specific Plan Area. The cross country course was previously discussed in the East Garrison/Parker Flats Land-Use Modification Memorandum of Understanding between Fort Ord Reuse Authority, Monterey Peninsula College, U.S. Bureau of Land Management, and the U.S. Army (Assessment East Garrison-Parker Flats Land Use Modification, Zander and Associates, May 2002, page 18).

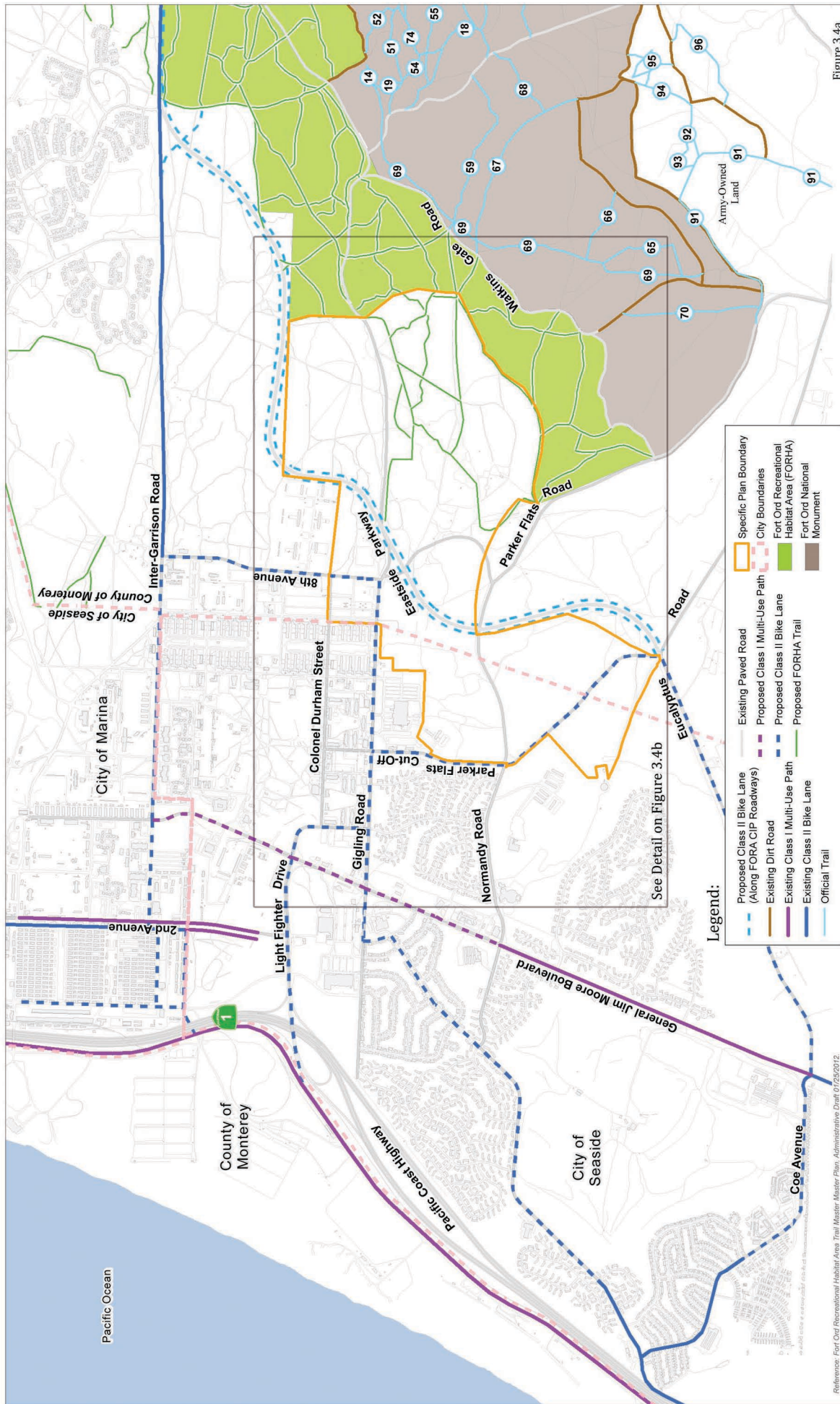
Figure 3.5 shows the location of the proposed trail network. **Figures 3.6 and 3.7** illustrate the applicable trail design standards.

3.6 Public Transportation System

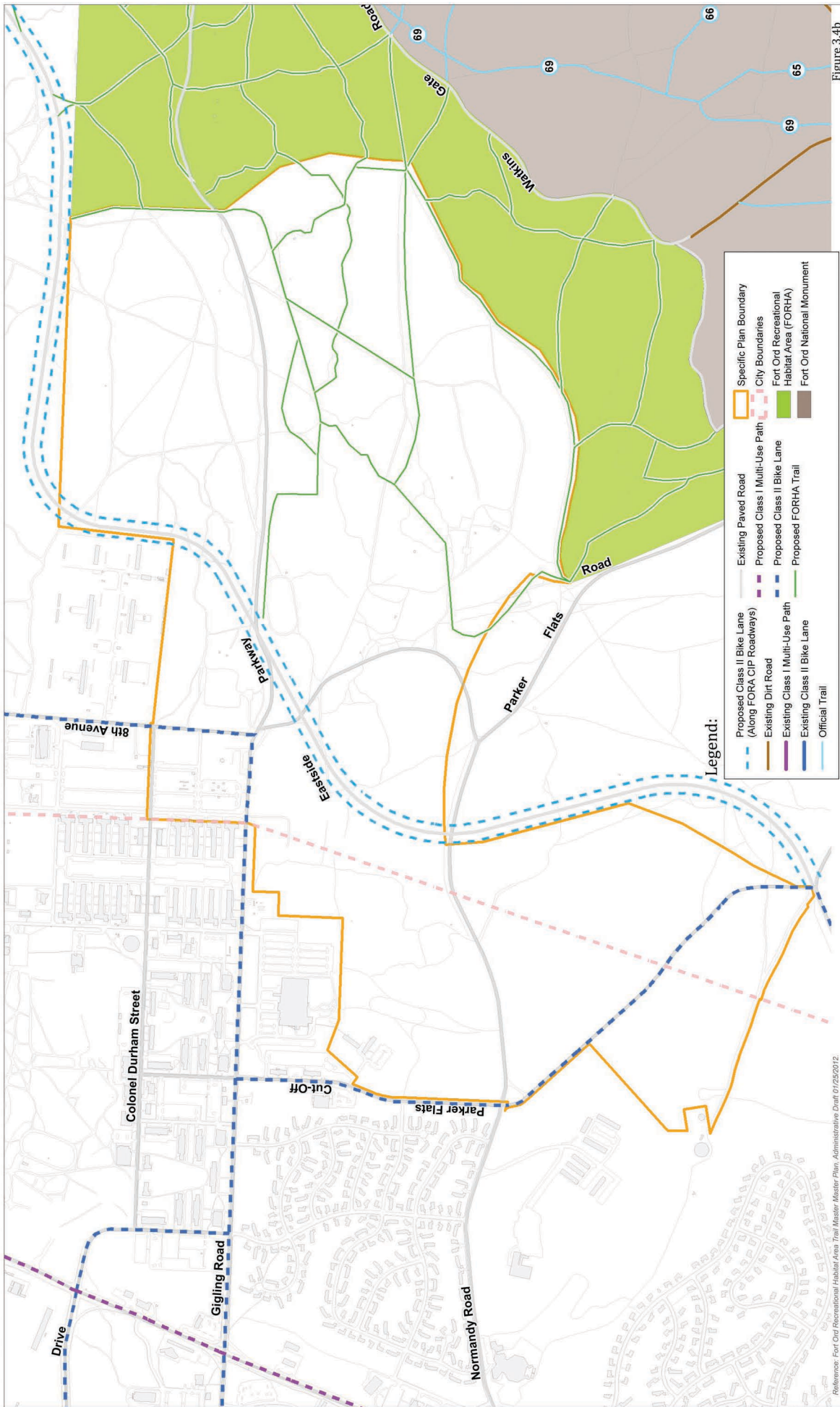
The Monterey-Salinas Transit (MST) currently provides bus service to the region, which includes 280 square miles of area between Monterey County and Southern Santa Cruz County. Several bus routes are already located within the Fort Ord area. Existing bus routes are also located adjacent to the project site.

The development envisioned in the Specific Plan, combined with the extension of Gigling Road, the planned construction of the Eastside Parkway, and the construction of other roadway construction projects will facilitate the establishment of additional bus routes and/or stops within the Specific Plan area. It is anticipated that additional bus stops will be located within or near the community. The ultimate goal of the expanded transit system is to have all future residents living within 1/2 mile (or a 10-minute walk) of a transit stop. Achieving this goal will require close coordination with the MST as site development occurs. At a minimum, a bus stop is planned near the intersection of Gigling Road and Eastside Parkway along Monterey Downs Road. This location is within the geographical center of the Specific Plan and within walking distance of most other proposed land uses. Other stops may be within and adjacent to the project area as the MST develops bus routes for the area.

Figure 3.8 shows the existing and proposed transit routes for the Specific Plan Area.



This side intentionally left blank



This side intentionally left blank

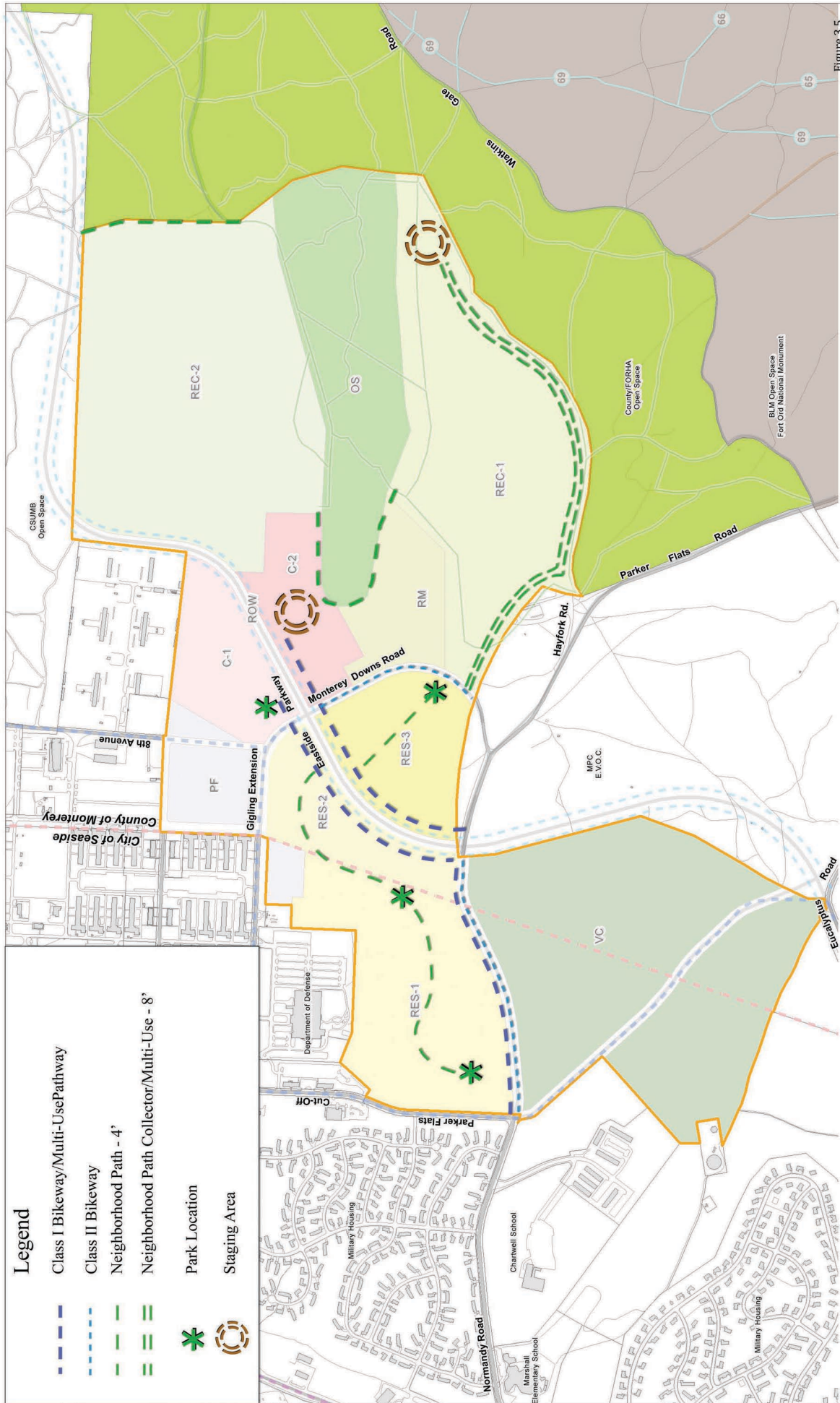


Figure 3.5



MONTEREY DOWNS & MONTEREY HORSE PARK & C.C.V.C. Specific Plan



0 400 800 1,600 Feet

Specific Plan Bike Lanes & Trails

This side intentionally left blank

CHAPTER 3 – Circulation Plan

Figure 3.6 - Multi-Use Trail Design Standards

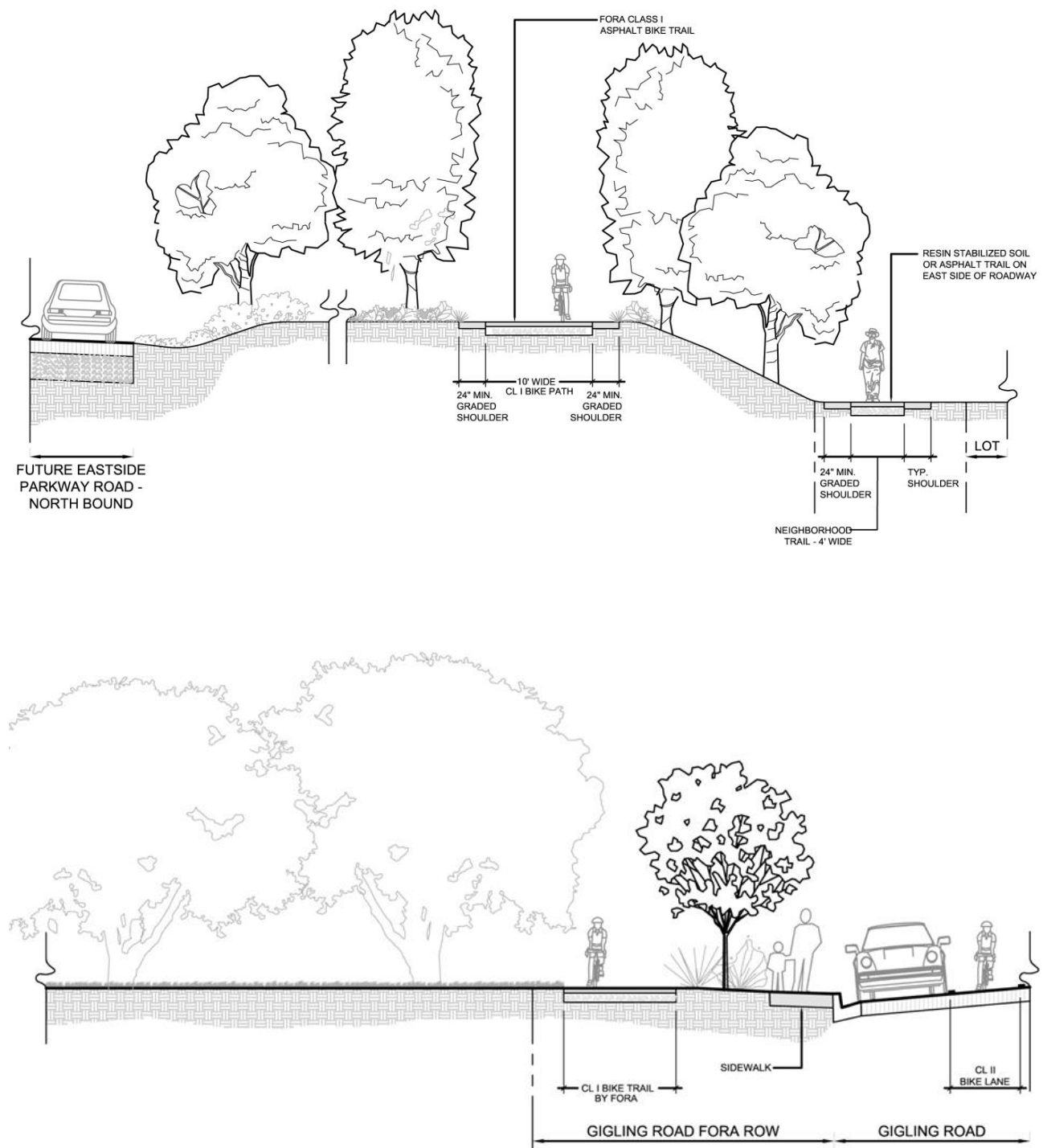
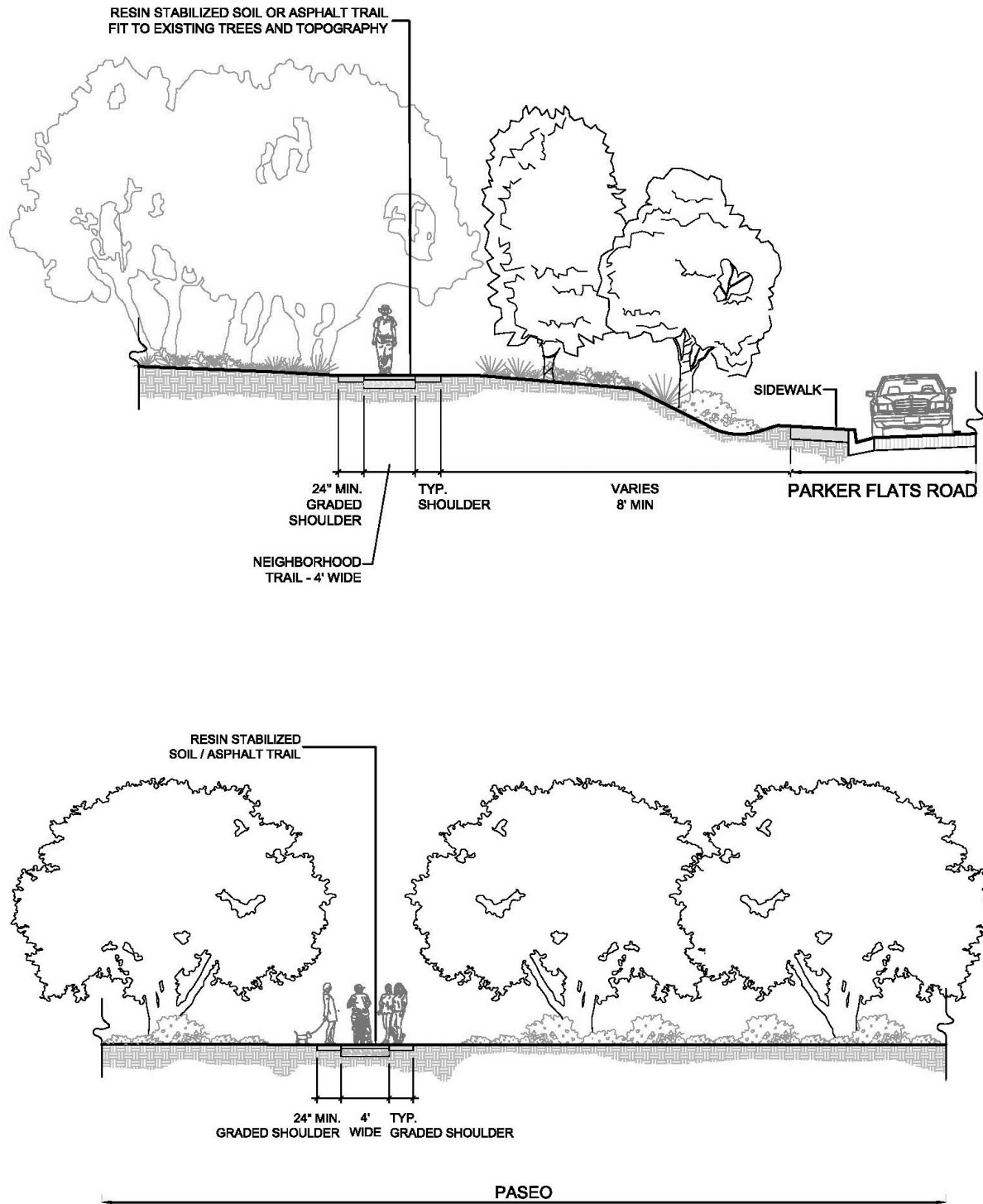


Figure 3.7 –Neighborhood Trail
Design Standards



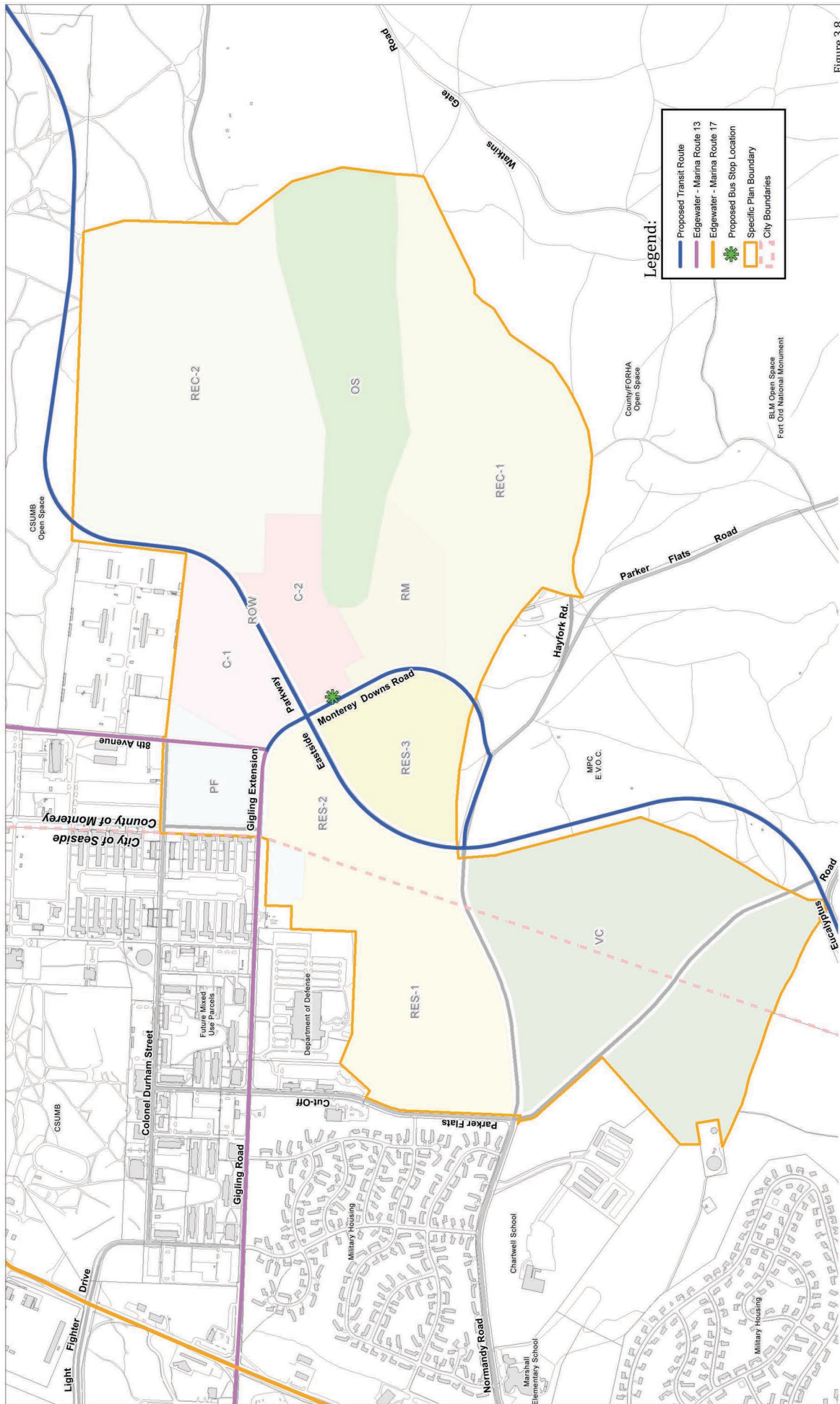


Figure 3.8

Existing & Proposed
Transit Routes



MONTEREY DOWNS & MONTEREY HORSE PARK & C.C.V.C. Specific Plan



0 400 800 1,600 Feet

This side intentionally left blank

Public Facilities and Services

4.1 Introduction

This Chapter addresses the infrastructure, and other engineering components of the Specific Plan. The infrastructure plans, drainage plans, and utility plans described in this Chapter are not precisely designed or “engineered” for construction as part of the Specific Plan. The plans presented in this chapter are conceptual and thus are subject to change as the detailed engineering designs are prepared, reviewed, and approved by the City of Seaside (Seaside). However, the plans presented in this Chapter do describe the extent of the proposed infrastructure improvements, the conceptual engineering designs intended to establish the standards by which the final precise infrastructure plans must conform.

4.2 Domestic Water

Marina Coast Water District (MCWD), through agreements established with the Fort Ord Reuse Authority (FORA), provides domestic water service to the former Fort

Ord Area. The primary source of water for MCWD is the Salinas Valley Groundwater Basin (SVGB). Groundwater wells are located throughout MCWD’s system and the availability of water is managed through allocation. The maximum allocation of groundwater extraction within the former Fort Ord area is 6,600 acre-feet per year (AFY).

MCWD will be the Specific Plan’s provider of potable water. The pressure zone for all of the Specific Plan will be MCWD’s pressure Zone D. Zone D is served by an existing water tank located southwest of the project area. The Specific Plan proposes a connection to the existing water system at Normandy Road and Parker Flats Cutoff. A second connection will be established near Colonel Durham Street and 8th Avenue. Currently, the nearest point of connection for Zone D is located at Colonel Durham Street and 6th Avenue. **Figure 4.1** shows the proposed water infrastructure improvements.

From the existing points of connection, water mains will need to be extended approximately two blocks to bring water

to the site. The water pipelines will then be extended beneath the Eastside Parkway to create the main project loop. This looped backbone water pipeline will service multiple properties, and therefore the improvements are anticipated to be a MCWD CIP project. However, the Specific Plan proponents may consider constructing the improvements subject to the provisions of a reimbursement agreement. This agreement would establish mechanisms for compensation, as other developments tie into the system.

As development occurs within the Specific Plan area, each proposed project would ultimately connect to the above-described backbone infrastructure. Each project would either connect to the backbone system in Eastside Parkway or in Parker Flats Road. Service mains would be extended beneath the internal streets and service laterals would be extended to each individual residence. Within the areas proposed for commercial development, larger service mains would be extended from the backbone to provide water to the individual components. Given the large geographic area planned for the uses located within the Rec-1 and Rec-2 Planning Areas, multiple service mains and an internally looped system may be required.

At full build-out, the Specific Plan area's estimated total potable water demand is approximately 550 AFY. This estimate assumes the project's compliance with water conservation guidelines and therefore the water demand factors have been adjusted accordingly. More detailed water demand information is included in Water Supply Assessment date November 2012 prepared for and approved by the

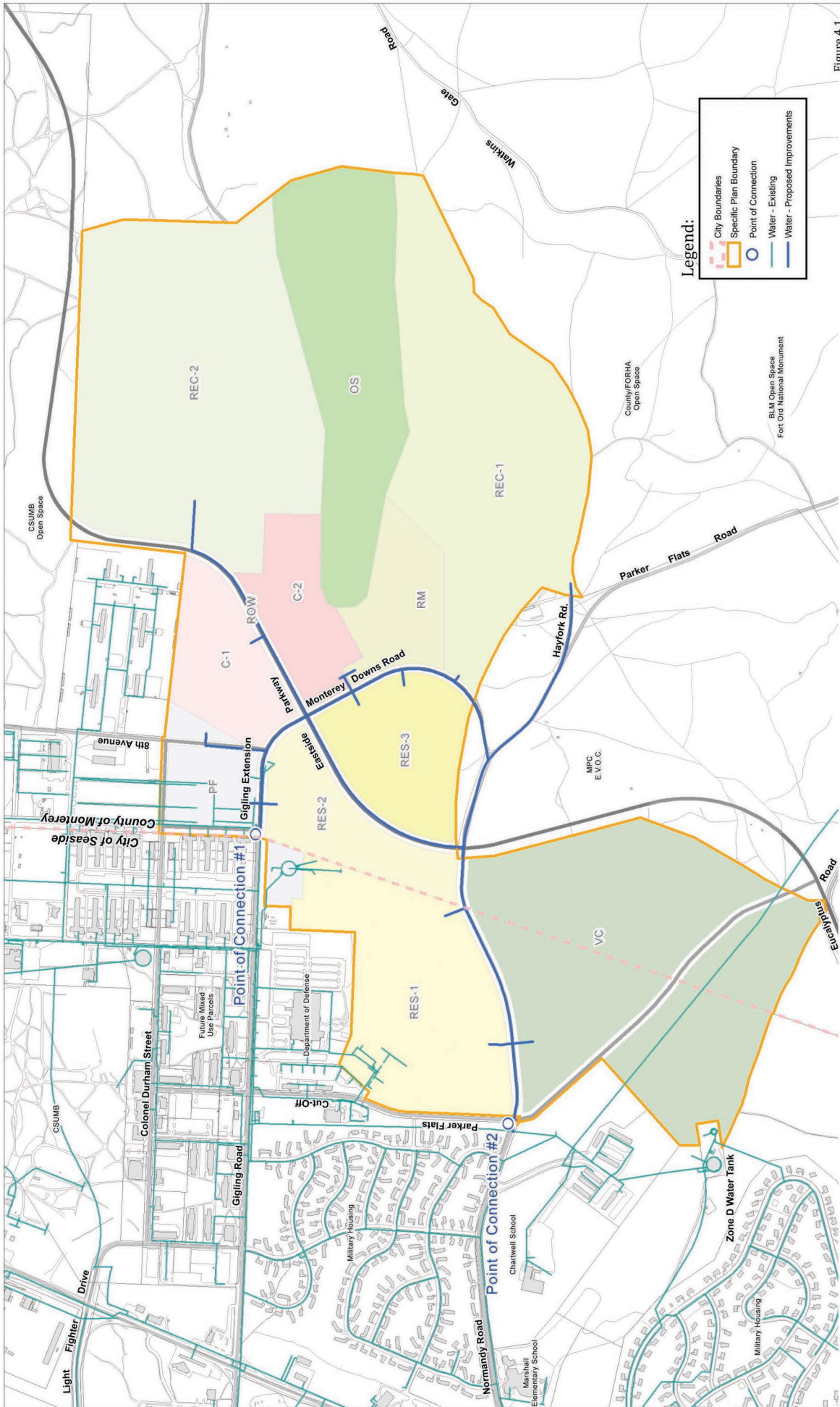
Marina Coast Water District. Specific Plan developments will be in compliance with MCWD's new construction water conservation measures including, but not limited to the installation of zero water use urinals, high-efficiency toilets, low-flow showerheads, high-efficiency clothes washers, water-efficient landscaping, and ET-based irrigation controls

4.3 Reclaimed Water

MCWD will also be the provider for reclaimed water. Reclaimed water is not currently available immediately adjacent to the project. However, the project will construct reclaimed water service infrastructure as part of its water service infrastructure development program to prepare for the eventual availability of recycled water service.

The current MCWD Water Master Plan calls for reclaimed water infrastructure to be constructed along General Jim Moore Boulevard west of the site and along the reconstructed portion of Eucalyptus Road south of the site. In addition, MCWD is planning to construct a 1.5MG reclaimed water tank which would be located at the same site as the current Zone D and Zone E tanks. The anticipated point of connection for reclaimed water would be near Reservoir D/E and would be extended north to the project area.

At full build-out, the Specific Plan area's total reclaimed water demand is approximately 300 AFY. More detailed water demand information is included in Water Supply Assessment date November 2012 prepared for and approved by the Marina Coast Water District.



Proposed Backbone
Domestic Water Improvements



MONTEREY DOWNS & MONTEREY HORSE PARK & C.C.V.C. Specific Plan



0 400 800 1,600 Feet

This side intentionally left blank

CHAPTER 4 Public Facilities and Services

New reclaimed water mains will be extended south from the existing recycled water system connection point located at the Intergarrison Road and 5th Avenue intersection. From this intersection, the main would continue east along Intergarrison Road and south along 8th Avenue to Gigling Road. Mains would be extended to the eastern portion of the Specific Plan area along Gigling Road and east from the Colonel Durham Street and 8th Avenue intersection.

This reclaimed water main would also be extended to the southwestern portions of Specific Plan area. The system will extend from Eastside Parkway through mains in Parker Flats Road and Gigling Extension. Service mains will also be extended to the individual project components but only to areas that will be utilizing reclaimed water.

Figure 4.2 shows the location of the planned backbone reclaimed water infrastructure.

To further increase the availability of reclaimed water for the Specific Plan area and surrounding areas, a reclaimed water storage reservoir is proposed in the Rec-2 Planning Area. The Specific Plan envisions that the interior portions of the equestrian training track (the "infield") would be designed to include a reclaimed water reservoir with the ability to provide approximately 300 AFY. This facility is proposed to be constructed, owned and maintained by MCWD. If MCWD chooses not to construct this facility, athletic fields may be constructed in this area.

4.4 Wastewater

MCWD, or Seaside County Sanitation District, will be the provider of sanitary wastewater service for the Specific Plan area. The wastewater system generally conveys flow northwesterly to an existing treatment plant. At full build out, the Specific Plan area's estimated total wastewater demand is approximately 1.3 million gallons per day (MGD).

Based upon the location of existing wastewater infrastructure improvements, two wastewater points of connection are anticipated for the Specific Plan area. One of these connection points will be at or near Gigling Road and 7th Avenue and could also be adjusted to Intergarrison Road and 8th Avenue (the northern point of connection). The other point of connection will be at the intersection of Parker Flats Cutoff and Normandy Road (the southern connection). From the northern point of connection, backbone wastewater infrastructure will be constructed beneath a portion of Gigling Extension and Eastside Parkway. From the southern point of connection, backbone wastewater infrastructure will be constructed beneath Parker Flats Road.

After construction of the proposed on-site wastewater improvements, portions of the Specific Plan area would be able to gravity flow to each point of connection. However, a portion of the wastewater generated on-site would require pumping via an onsite lift station and force mains in order to establish direct flow to the more northerly point of connection. The proposed sewer lift station will be located within the REC-1 Planning Area, between the training track and the OS Planning Area. This lift station will convey flows

from the lower elevations via force main to the northern point. The C-1 Planning Area will also gravity flow to this northern point of connection. The remaining parcels, including the majority of residential dwellings located within the RES-1, RES-2 and RES-3 Planning Areas, will gravity flow to the southern point of connection.

Figure 4.3 shows the location of the planned backbone wastewater infrastructure.

4.5 Stormwater

Per the Fort Ord Base Reuse Plan (BRP) and the Storm Water Master Plan, all on-site stormwater must be infiltrated. The BRP also requires that all stormwater within a jurisdiction be infiltrated within that same jurisdiction. The Specific Plan will be annexed by Seaside, and therefore all stormwater will be retained within Seaside's boundaries.

Under existing conditions, most of the stormwater runoff naturally flows to onsite drainage depressions. These existing hydrologic sump areas are large and allow for percolation to occur before overflowing to other basins. Although these existing drainage areas will be impacted by the design of the project, the post development stormwater volumes will still be contained on site.

The Specific Plan's stormwater collection system includes the development of multiple basins. The water that is directed to these basins may then be used for the recycled water program or they may percolate into the ground which will replenish the groundwater basin below. The location of these basins will be based

on the final project design, but generally they are located in the southern portion of the Rec-2 Planning Area, the southern portions of the Rec-1 Planning Area, and the southern portions of the RES-1 and RES-2 Planning Areas. Smaller area specific drainage facilities will be integrated throughout the site. In addition, a portion of drainage generated within the southern portions of the RES-1, RES-2, and RES-3 Planning Areas may be conveyed to a basin located within the VC Planning Area. This basin would need to be sized appropriately to handle flows from the residential areas as well as the VC Planning Area.

Throughout the Specific Plan area, storm drains will be utilized to convey runoff through the development. These drains will be used as necessary to control flow and direct it towards one of the planned basins. The Horse Park land use proposed in the REC-1 Planning Area will also have its own retention basin system that will collect flow. Stormwater BMPs, Low Impact Development (LID) techniques, and erosion control devices will be utilized during construction and post-construction consistent with the most current NPDES requirements at the time of development. This will uphold the integrity of the drainage system and retain the effectiveness of the infiltration basins. In addition, equestrian facilities will be required to prepare an Equestrian Management Plan that will provide specific BMPs for these facilities.

Figure 4.4 shows the location of the planned drainage infrastructure.

No portion of the Specific Plan Area, with the exception of a portion of the VC Planning Area, is within a Flood Zone

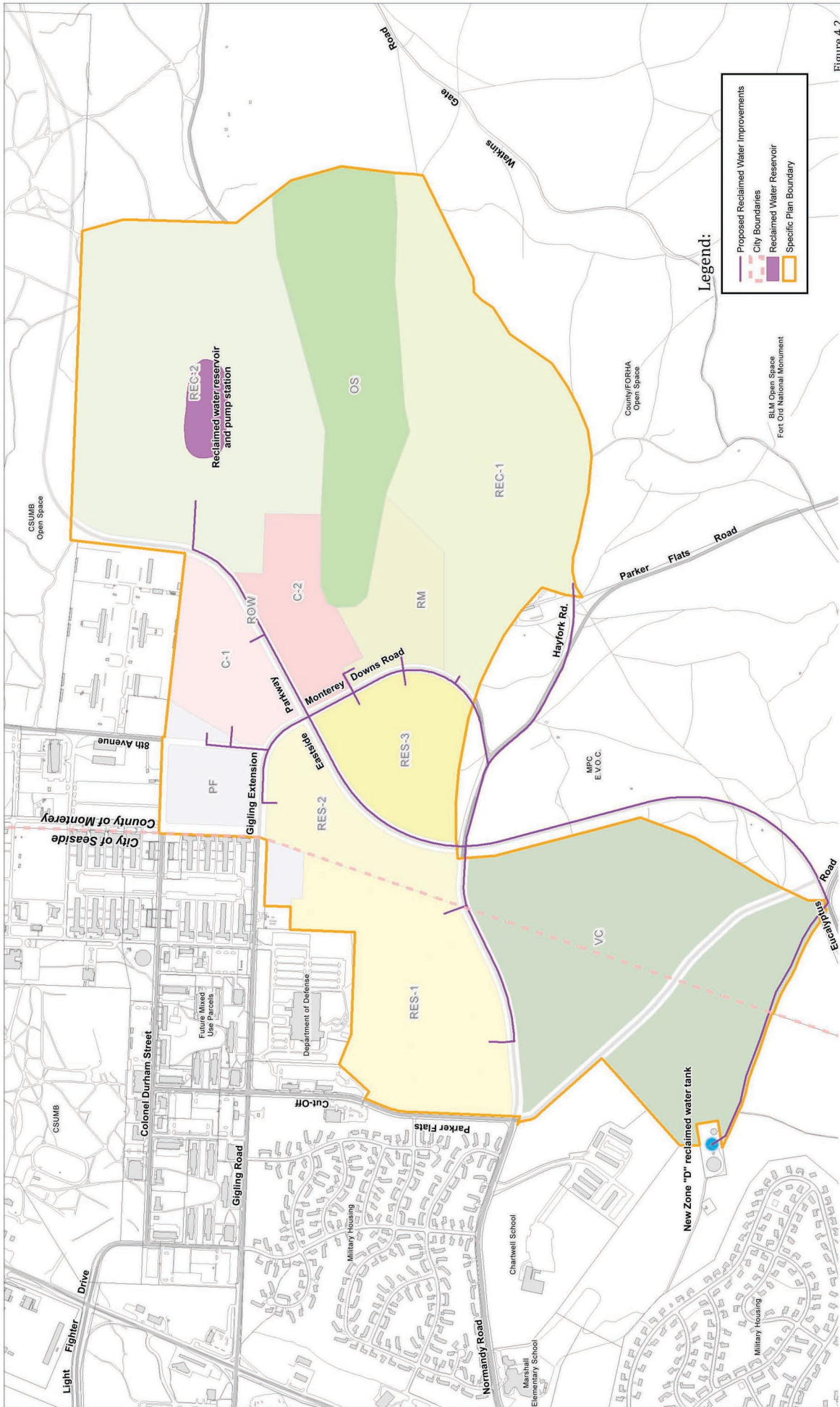
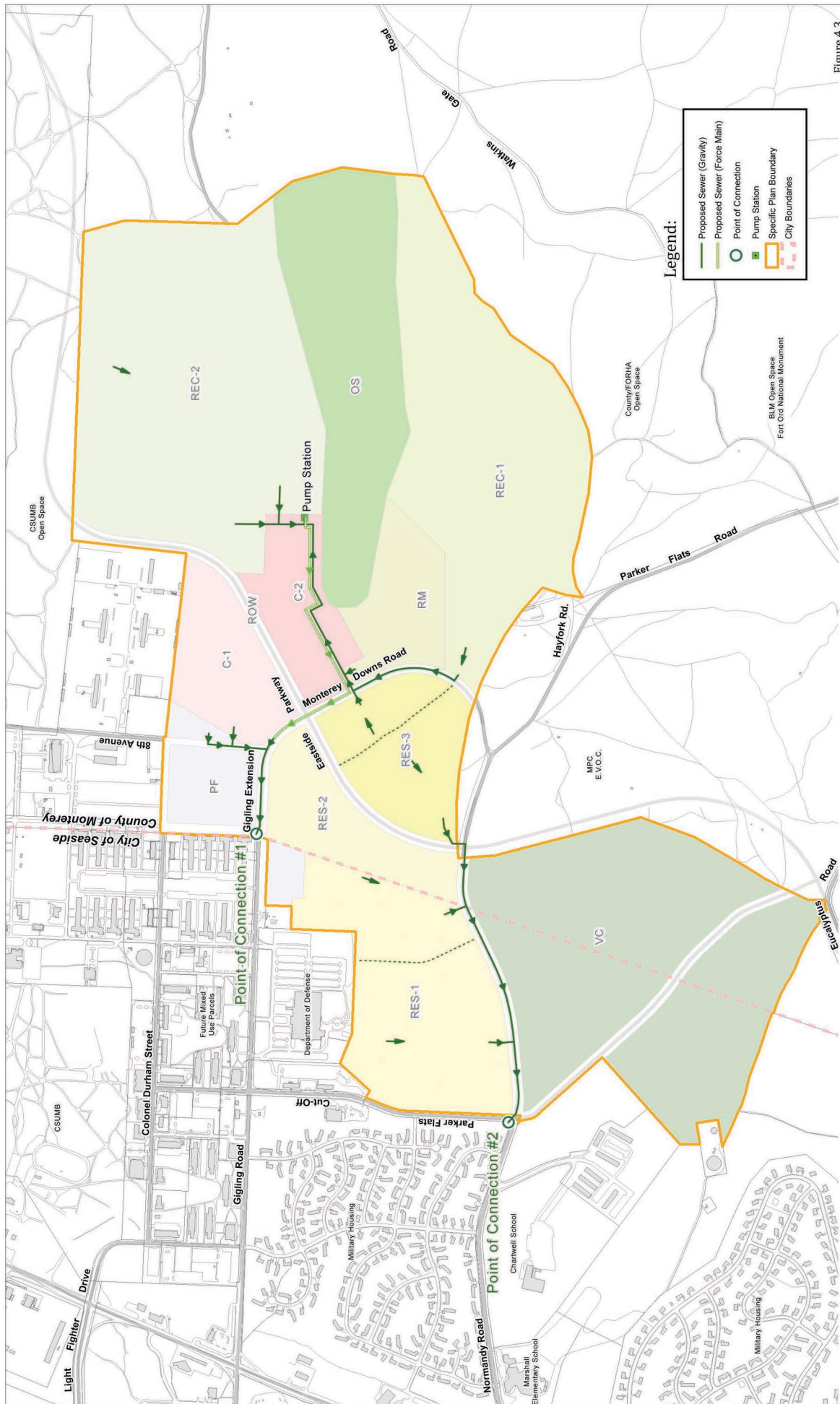


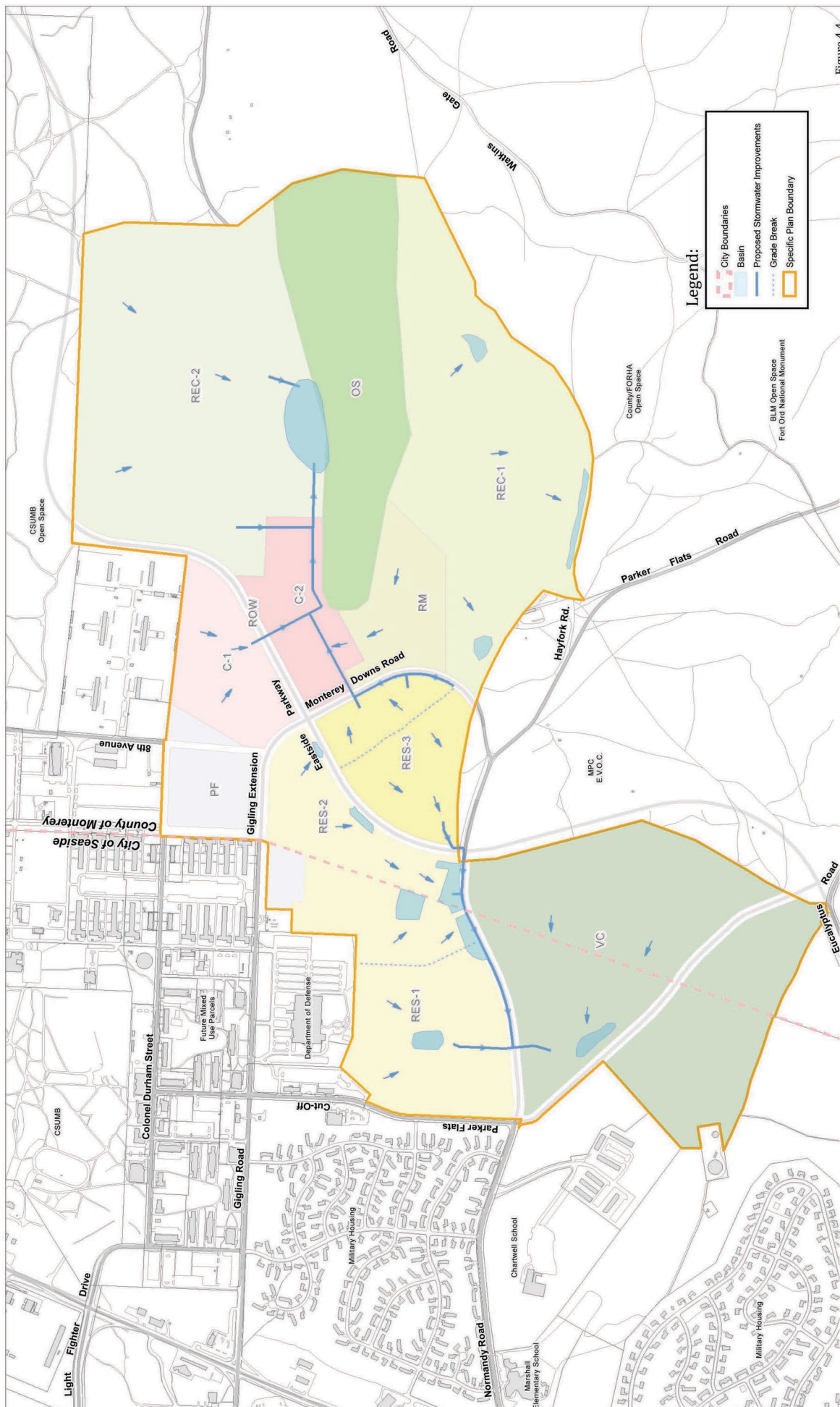
Figure 4.2



This side intentionally left blank



This side intentionally left blank



This side intentionally left blank

CHAPTER 4 Public Facilities and Services

Area, as designed by the FEMA Flood Insurance Rate Maps. Future development within this area will need to

be outside of the flood zone area, or the applicable flood zone maps will need to be revised in consultation with FEMA.

4.6 Gas

The provider for natural gas service will be PG&E. PG&E currently has facilities located west of the Specific Plan area in Normandy Road. It is anticipated that PG&E would extend this system through Eastside Parkway to form a backbone gas main. Depending on the timing of the Eastside Parkway construction, these gas main lines would loop through the site and also connect to facilities located in Intergarrison Road. Smaller gas conduits will be installed through the residential streets or commercial areas for individual services.

4.7 Electric

PG&E is also the provider of electric service to this area. The existing PG&E substation is 12 kv but PG&E has plans to upgrade this to a 21 kv substation. Service into Monterey Downs would extend from the existing lines along Gigling Road and then along Eastside Parkway within the development to serve as a backbone system. Smaller electrical conduits will be installed through the residential streets or commercial areas for individual services. All future facilities would be installed underground with no overhead lines.

4.8 Telephone

The telephone provider for the area is AT&T. Existing service is located southwest of the site, but this service infrastructure was not installed with proper easements. Therefore, all new service will be established by constructing new infrastructure along with the recordation of all necessary easements. Future data and telephone service lines are expected to be composed of fiber-optic cable. Service is expected to be extended from the Gigling Road and 6th Avenue area. From this location, the lines will be constructed beneath the Eastside Parkway, Gigling Road and/or Parker Flats Road. Each individual development project within the Specific Plan Area would tie into this backbone system. Wireless communication infrastructure may also be constructed within the project area. All future facilities would be installed underground with no overhead lines.

4.9 Data

Comcast is the cable provider for the Specific Plan area. Comcast's existing facilities are located west of the project in General Jim Moore Boulevard. Although the cable infrastructure is not adjacent to the project site, it is expected that Comcast will extend their facilities to the project. It is expected that service would be extended either through Gigling Road or Normandy Road and Parker Flats Road. From either of these locations, the infrastructure would continue through the project site beneath Eastside Parkway. Individual development project within the Specific Plan Area would tie into this backbone system. All future facilities would be installed underground with no overhead lines.

4.10 Police, Fire and Emergency Services

The Seaside Police Department will provide police protection services to the Specific Plan area. The department headquarters are located in the southern portion of the City at 440 Harcourt Avenue. The City of Seaside, as described in their General Plan, has adopted and maintains level of service standards for the police department. The General Plan requires the City, as part of annual budgeting, to ensure that adequate police department facilities and personnel are provided to meet adopted level of service standards. In addition, the City collects appropriate fees from development projects to ensure that new projects can be adequately served by the police department.

Each of the Specific Plan's development phases will undergo review by the City and to ensure adequate police services can be provided. In addition, the Specific Plan permits the development of a police sub-station within Planning Area C-1 or C-2 in the event that additional on-site facilities are required to meet level of service standards.

The Seaside Fire Department provides both emergency prevention and response services to the City of Seaside. The prevention activities include inspections of all types, fire investigation, public education presentations, etc. Emergency services include fire suppression (structural, vegetation, and vehicular fires), paramedic emergency medical response, vehicular accident response, and rescue situations. The Fire Department headquarters is located at the intersection of Yosemite and Broadway.

Including the Fort Ord Base Reuse Plan area, the Seaside Fire Department is currently serving three times the area without an increase in staffing. Fire response times currently range from 4 to 6 minutes. The Seaside Fire Department has mutual aid and automatic aid agreements with other fire agencies in the region. Seaside's General Plan require the City to review levels of service, facilities, and funding levels during the budgeting process, adjusting when necessary to ensure adequate levels of service. In addition, for projects that require a development agreement, such as development within the Specific Plan area, the City negotiates payment of public services impact fees to ensure new project pay their share of public services infrastructure.

Each of the Specific Plan's development phases will undergo review by the City to ensure adequate police services can be provided. In addition, the Specific Plan proposed the development of a fire department station within the PF Planning Area in the event that additional facilities are required to meet level of service standards with the Specific Plan or the vicinity.

4.11 Schools

The Monterey Peninsula Unified School District provides public school services to the City of Seaside. The existing school located closest to the Specific Plan area is Marshall Elementary School located at 300 Normandy Road. The City's Middle School is located at 999 Coe Avenue. The City's High School is located at 2200 Noche Buena Street.

CHAPTER 4 Public Facilities and Services

Development of the proposed Specific Plan will increase the City's population and thus will increase enrollment within the Monterey Peninsula School District. As a result, each specific development project developed within the proposed Specific Plan area will be required to pay all applicable school impact fees, as established by SB 50.

This side intentionally left blank

ARCHITECTURAL DESIGN GUIDELINES

5.1 Introduction

The purpose of these architectural design guidelines is to identify the general architectural design concepts for the design and implementation of the buildings within Monterey Downs. The design concepts presented herein are intended to establish the overall architectural character for the community, reflecting the historical development precedents found within the City and surrounding areas, as well as the equestrian nature of the proposed recreation tourism venues. The goal is to promote both visual compatibility and variety in a community setting by using a number of compatible traditional and contemporary architectural styles, and through quality architectural innovation. This provides a strong framework to ensure that Monterey Downs is developed in a manner that enhances the existing development found elsewhere in Seaside.

The architectural design guidelines will be followed by developers, builders, designers, Seaside staff and decision-makers in the design and review of future development projects in Monterey Downs. These guidelines should be considered as

examples of harmonious design rather than rigid requirements. Reasonable substitutions in styles, materials and colors shall be permitted if they are consistent with the Specific Plan's overall purpose and design intent.

5.2 Residential Design Guidelines (Res-1, Res-2, Res-3 & RM Planning Areas)

5.2.1 Architectural Styles

Based on the existing character and building development history of the area, a variety of architectural styles are appropriate for the Monterey Downs residential community. Although these styles have historical reference, other styles that can be derived from the County's agrarian past may also be considered. Distinguishing characteristics of each architectural style envisioned for residential development in Monterey Downs are described below and in Tables 5.1 through 5.3.

It should be noted that the photographs contained herein are representative of

concepts envisioned for Monterey Downs. The intention is to incorporate a variety of these design features into the community. The photographs shown are not intended to be indicative of the actual product types for Monterey Downs, but are instead provided as a guideline and source of inspiration for the architects, designers, and builders who will actually design and build the homes in Monterey Downs.

a. American Farmhouse

The American Farmhouse style is defined by simple practicality and is a preferred design option. Homes were designed to provide basic comfort and utility, be attractive, and offer flexibility to grow and change uses over time. Well into the early 20th century, most homes were designed and built by local craftsmen, resulting in substantial regional deviations across the country. Because the American Farmhouse architecture across the country showed the impact of local immigrant groups, the style was often a hybrid of ideas from different parts of the world, combined with the unique circumstances of American small towns.

Design characteristics of the American Farmhouse style include the following:

- Typically two stories in height
- Horizontal wood and stucco siding
- Covered porches with simple wood columns and railings
- Gabled roofs
- Dormer windows

CHAPTER 5 – Architectural Design Guidelines



Examples of American Farmhouse Architecture



Gabled roofs



Front porch



Typically two-story height



Dormers



Vertically-oriented windows



Plain window trim



Wood siding

Typical American Farmhouse Architectural Details

CHAPTER 5 – Architectural Design Guidelines

b. California Bungalow

The California Bungalow style first appeared as a reaction to the elaborate decoration of the then-popular Victorian style. Influenced by the Arts and Crafts movement, the California Bungalow style emphasizes a horizontal relationship between the house and the surrounding land. The use of natural materials and colors reinforces the home-earth relationship. The California Bungalow houses were relatively easy and affordable to construct. The design spread east from California and remained popular into the Great Depression.

Design characteristics of the California Bungalow style include the following:

- Narrow, rectangular building forms
- Typically one to one and half stories in height; two-story buildings are permitted
- Large covered porches at the front entry, typically with rectangular or tapered columns
- Low-pitched gabled or hipped roofs
- Large windows on front façade, often with divided panes above larger solid panels or panes
- Windows typically grouped in sets of two or three
- Single- or double-hung windows or casement windows
- Large, decorative doors
- Front stoop



Examples of California Bungalow Architecture

CHAPTER 5 – Architectural Design Guidelines



Gable and cross-gable roof forms



Exposed rafter tails



Board or batten siding accent



Wide projecting roof forms



Large porch or veranda



Flat tile roof



Tapered columns

Typical California Bungalow Architectural Details

c. Craftsman

The Craftsman style grew out of Bungalow architecture and was strongly influenced by the English Arts and Crafts movement. It is an American style that originated in Southern California, and spread across the country during the 1920s and 1930s through pattern books and catalogues.

The Craftsman style sought the elimination of superfluous ornamentation, creating beauty instead through the simplified lines and masses of the building itself. This unique style promoted hand crafted quality to create natural, warm and livable homes.

Design characteristics of the Craftsman style include the following:

- Horizontal character to building forms
- Full- or partial-width porches with horizontal railing pickets
- Stone, brick, stucco, shingles and horizontal siding
- Low to moderately pitched gable roof forms with unenclosed eave overhangs
- Primary roof forms covering porch elements
- Decorative use of cross beams, braces, and rafter tails
- Porches often feature tapered columns and pilasters
- Brick or stone elements visually anchoring the building mass to the ground plane
- Windows grouped in sets of two or three
- Shed or gable dormers

CHAPTER 5 – Architectural Design Guidelines



Examples of Craftsman Architecture



Horizontal emphasis of building forms



Front porch



Decorative beams and braces below gables



Gabled roofs



Exposed rafter tails



Tapered columns



Walls of brick, siding, stucco, or stone



Multi-paned upper sash and single-paned below



Broad windows

Typical Craftsman Architectural Details

CHAPTER 5 – Architectural Design Guidelines

d. Monterey

The Monterey style was developed in the town of Monterey on California's central coast in the mid-19th Century. The style developed from a combination of New England Colonial architecture and the adobe architecture of the Mission period in California.

Design characteristics of the Monterey style include the following:

- Simple two-story masses
- Cantilevered balconies (sometimes serving as a porch) on the second floor, extending along all or most of the façade
- Stucco or plaster exteriors, occasionally with wood siding on the second story
- Primarily front-to-back gables; intersecting cross-gables are permitted
- Simulated wood shake or clay tile roofs
- Wood shutters, generally the same width as the adjacent multi-paned windows. Paired windows and false shutters are also common.
- Simple wood doors
- Colonial details such as pedimented doors and windows



Examples of Monterey Architecture

CHAPTER 5 – Architectural Design Guidelines



Cantilevered balconies along front facade



Simple, two-story masses



Stucco or plaster exterior, sometimes with wood siding on the second story



Simple wooden doors



Pedimented doors



False shutters

Typical Monterey Architectural Details

e. Spanish Eclectic

The Spanish Eclectic style was popular during the 1920s and early 1930s. Also known as Spanish Colonial, this style incorporated the details and ideals of Spanish architecture, which took its cues from the missions of the early Spanish missionaries and included details from the Moorish, Byzantine, Gothic and Renaissance architectural styles. California, Arizona, Texas and Florida are all regions where Spanish Eclectic house plans and architecture are common. The charm of this style lies in the directness, adaptability and contrast of materials and textures.

Design characteristics of the Spanish Eclectic style include the following:

- One- and two-story building masses, often asymmetrical in form
- Stucco walls
- Courtyards
- Red tile sloping roofs with large overhangs
- Exterior arches
- Round or square exterior columns
- Wrought iron accent gates
- Balcony railings
- Accent drain tiles
- Punched windows
- Recessed wooden front door

CHAPTER 5 – Architectural Design Guidelines



Examples of Spanish Eclectic Architecture



Red barrel tile roof



Rounded arches



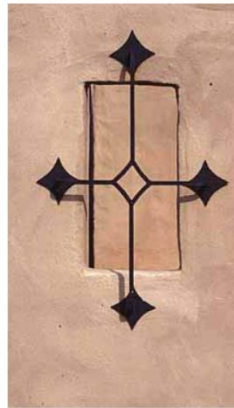
Deep-recessed entries and windows



Entry courtyards



Wrought iron railings



Decorative wrought iron elements



Gates with wrought iron elements

Typical Spanish Eclectic Architectural Details

f. Farmhouse-Ranch Hybrid (for Multi-Family Residential and Campus Housing Only)

Multi-family residential and/or campus housing in Monterey Downs are envisioned to be developed with the Farmhouse-Ranch Hybrid style, which is abstracted to be a more contemporary version of the historic Farmhouse and Ranch precedents.

Design characteristics of the Farmhouse-Ranch Hybrid style include the following:

- Use of stucco and composite siding materials
- Asymmetrical features
- Variety of flat and pitched roofs



Examples of Farmhouse-Ranch Hybrid Architecture
(for Multi-Family Residential/Campus Housing Only)

CHAPTER 5 – Architectural Design Guidelines



Examples of Farmhouse-Ranch Hybrid Architecture
(for Multi-Family Residential/Campus Housing Only)



Examples of Farmhouse-Ranch Hybrid Architecture
(for Multi-Family Residential/Campus Housing Only)

CHAPTER 5 – Architectural Design Guidelines

Table 5.1
Single Family Detached Residential Design Matrix

ARCHITECTURAL STYLE	
Architectural styles permitted	American Farmhouse Craftsman Spanish Eclectic California Bungalow Monterey
FLOOR PLANS / ELEVATIONS	
Floor Plans / Elevation Options	A minimum of 3 floor plans and 3 elevations options for each floor plan. No adjacent homes shall have the same floor plan-elevation combination.
BUILDING MASSING AND SCALE	
Single Story Elements <i>(Portions of the building that has no second story)</i>	At least 20% of the dwellings within a subdivision must have a building mass which combines single story and two story building forms.
Staggered Wall Planes	No rear or front building wall or wall facing a public street shall extend more than 25' vertically or horizontally without a visual break created by a minimum 2' offset in the exterior wall or created by architectural detailing. No more than 60% of the front elevation can be composed of a single wall plane.
WINDOW OPENINGS	
Front Elevations	At least one principal window recessed into thickened walls or projected forward of the wall plane (Min. Recess or Projection is 12") And one of the following: - Extended roof overhangs at principal windows (Minimum Overhang: 12") - Trim surrounds, headers, or sills at all windows (Min. Trim Material: 2" x 6") - Shutters, tiles or other decorative trim at principal windows
Side and Rear Elevations – 2 nd story windows which are visible from perimeter streets, community open space or other public spaces	A principal window created in one of the following ways is required: - Being recessed into thickened walls or projected forward of the wall plane (Min. Recess or Projection 6") - Extended roof overhangs at principal window (Minimum Overhang: 12") - Shutters at Principal window - Trim surrounds, headers, or sills at all windows (Minimum Trim Material 2" x 6")
BUILDING MATERIAL & COLOR BLOCKING	
Any elevation visible from interior streets, perimeter streets, community open space or other public spaces	Material and color blocking shall not terminate at an outside corner

**Table 5.1
Single Family Detached Residential Design Matrix**

COLOR SCHEMES	
Number of color schemes required	2 color schemes (min.) per elevation. Each color scheme shall have at least 3 colors, including: • Base Color • Accent • Trim
Front and/or Garage Doors	Color shall complement architectural style and be compatible with color scheme. No adjacent homes shall have the same color scheme.
ROOFS	
Roof Pitch	4:12 to 8:12
Roof Overhang	• Roof eaves shall have a minimum of 12" overhang; or may be reduced to a 6" overhang when a corresponding fascia element 12" or greater in height is provided. • Rakes may be tight or have a 12" overhang as appropriate to the architectural style of the residence.
Roof Material	• Concrete or clay tiles in shapes consistent with the selected architectural style. • Wood shake roofs are prohibited • Spanish tile roofs shall have a variegated design
Roof Finish	• Matte finish to minimize glare
Skylights	• Framing material shall be colored to match the adjoining roof. • White dome skylights are not permitted.
Mechanical Equipment	Roof mounted air conditioners are not permitted. All pipes, vents and other similar equipment shall be painted to match the roof surface
MISCELLANEOUS	
Light and Glare	• Street lighting shall be per City standards • Homeowner and association lighting other than street lighting, shall be shielded to minimize illumination of adjacent lots or properties and to reduce glare.
Utilities	All utility connections from the main line in the public right-of-way to building shall be located underground.

CHAPTER 5 – Architectural Design Guidelines

Table 5.2
Single Family Detached Cluster Residential Design Matrix

ARCHITECTURAL STYLE	
Architectural styles permitted	American Farmhouse Craftsman Spanish Eclectic California Bungalow Monterey
FLOOR PLANS / ELEVATIONS	
Floor Plans / Elevation Options	A minimum of 3 floor plans and 3 elevations options for each floor plan. No adjacent homes shall have the same floor plan-elevation combination.
BUILDING MASSING AND SCALE	
Single Story Elements (Portions of the building that has no second story)	At least 20% of the dwellings within a subdivision shall have a single story element (porches qualify as a single story element).
Staggered Wall Planes	- No building wall facing a public street shall extend more than 25' vertically or horizontally without a visual break created by a minimum 2' offset in the exterior wall or created by architectural detailing. - No more than 60% of the front elevation on a 2-story residence can be composed of a single wall plane.
WINDOW OPENINGS	
Front Elevations	Front elevations must feature at least one of the following: - Extended roof overhangs at principal windows (Minimum Overhang: 12") - Trim surrounds, headers, or sills at all windows (Min. Trim Material: 2" x 6") - Shutters, tiles or other decorative trim at principal windows
Side and Rear Elevations - 2nd story windows which are visible from perimeter streets, community open space or other public spaces	A principal window created in one of the following ways is required: - Recessed into thickened walls or projected forward of the wall plane (Min. Recess or Projection 6") - Extended roof overhangs at principal window (Minimum Overhang: 12") - Shutters at Principal window - Trim surrounds, headers, or sills at all windows. (Minimum Trim Material 2" x 6")
BUILDING MATERIAL & COLOR BLOCKING	
Any elevation visible from interior streets, perimeter streets, community open space or other public spaces	Material and color blocking shall not terminate at an outside corner.

Table 5.2
Single Family Detached Cluster Residential Design Matrix

COLOR SCHEMES	
Number of color schemes required:	2 color schemes (min.) per elevation. Each color scheme shall have at least 3 colors, including: • Base Color • Accent • Trim
Front and/or Garage Doors	Color shall complement architectural style and be compatible with color scheme. No adjacent homes shall have the same color scheme.
ROOFS	
Roof Pitch	4:12 to 8:12
Roof Overhang	• Roof eaves shall have a minimum of 12" overhang; or may be reduced to a 6" overhang when a corresponding fascia element 12" or greater in height is provided. • Rakes may be tight or have a 12" overhang as appropriate to the architectural style of the residence.
Roof Material	• Concrete or clay tiles in shapes consistent with the selected architectural style • Wood shake roofs are prohibited • Spanish tile roofs shall have a variegated design
Roof Finish	Matte finish to minimize glare
Skylights	• Framing material shall be colored to match the adjoining roof. • White dome skylights are not permitted.
Mechanical Equipment	• Roof mounted air conditioners are not permitted • All pipes, vents and other similar equipment shall be painted to match the roof surface
MISCELLANEOUS	
Light and Glare	• Street lighting shall be per City standards • Homeowner and association lighting, other than street lighting, shall be shielded to minimize illumination of adjacent lots or properties and to reduce glare.
Utilities	All utility connections from the main line in the public right-of-way to building shall be located underground

CHAPTER 5 – Architectural Design Guidelines

Table 5.3
Multi-Family Residential / Campus Housing Design Matrix

ARCHITECTURAL STYLE	
Architectural styles permitted	Farmhouse-Ranch Hybrid
FLOOR PLANS	
Floor Plans Options	A minimum of 4 floor plans for multi-family residential; no minimum number of floor plans for campus/student housing.
BUILDING MASSING AND SCALE	
Staggered Wall Planes	No more than 60% of the front elevation can be composed of a single wall plane. Each building should incorporate one or more 2-story element.
BUILDING MATERIAL & COLOR BLOCKING	
Any elevation visible from interior streets, perimeter streets, community open space or other public spaces	Material and color blocking shall not terminate at an outside corner.
COLOR SCHEMES	
Number of color schemes required:	3 color schemes min. Each color scheme shall have at least 3 colors, including: • Base Color • Accent • Trim
ROOFS	
Roof Pitch	4:12 pitch mixed together with flat roof elements. Roofs should include articulated eaves and a variety of ridgelines
Roof Overhang	• Roof eaves shall have a minimum of 12" overhang; or may be reduced to a 6" overhang when a corresponding fascia element 12" or greater in height is provided. • Rakes may be tight or have a 12" overhang as appropriate to the architectural style of the residence.
Roof Material	Concrete tiles, metal roofs, or high quality dimensional composite roofing
Roof Finish	Matte finish to minimize glare

Table 5.3
Multi-Family Residential / Campus Housing Design Matrix

Skylights	• Framing material shall be colored to match the adjoining roof. • White dome skylights are not permitted.
Mechanical Equipment	All pipes, vents and other similar equipment shall be painted to match the roof surface
MISCELLANEOUS	
Light and Glare	• Street lighting shall be per City of Seaside standards. • Residential complex lighting, other than street lighting, shall be shielded to minimize illumination of adjacent lots or properties and to reduce glare.
Utilities	All utility connections from the main line in the public right-of-way to building shall be located underground.

CHAPTER 5 – Architectural Design Guidelines

5.2.2 General Architectural Guidelines

a. Building Form and Massing

- For single family detached and cluster residential development, single-story elements should be incorporated into two-story buildings to create a more pleasant street scene.
- Two- to four-story buildings are planned in the multi-family residential/campus housing area. Encourage variation in building massing to provide variety to street scene.
- Articulation of front elevation, as well as side and rear elevations that are highly visible from streets or open space/trails, is required.
- Balconies and/or porches that are integral to the building design are encouraged. Color schemes for balconies, porches and patio covers shall reflect the architectural style of the building.
- For single family detached and cluster residential development, entries, windows, porches and living areas should be placed close to the street so that active, articulated architecture visually dominates the street scene.
- Roof planes and types should vary between different products to promote visual diversity.

b. Wrap-Around Architecture

- The front façade treatment of single family detached and cluster residential buildings should wrap partially around onto the side of the house, especially on corner lots where the side of the homes is highly visible. However, some elements (such as trim) should continue on the sides of the buildings
- Multi-family residential/campus housing buildings should be articulated on all four sides with building projections, decorative trim, and windows.

c. Variations in Garages for Single-Family Detached Homes

- A variety of garage types are allowed in Monterey Downs. The permitted garages types include, but are not limited to, front loaded garages, side-on garages, tandem garages, rear garages, and detached garages. Each home shall provide at least two garage parking spaces. No specific type of garage is required, but each required parking space shall have an interior dimension of 10' wide by 19' deep; therefore a two-car, side by side garage would be 20' wide by 19' deep.. The developer/builder will select the most appropriate garage type for the style and type of building(s) being proposed.
- Overhangs, trellises, arbors and other architectural elements are permitted to visually soften

the front-facing garage doors. Decorative garage door treatments, styles, trims and colors that reflect the architectural style of the building elevation are encouraged.

d. Building Materials and Colors

- Building materials and colors should match the overall neighborhood design theme color palette and be consistent with the building's architectural style.
- The material palettes should provide a harmonious variety in color and texture.
- The use of natural materials such as tile, brick, stone, or wood or equivalent simulated materials are encouraged. Simulated materials may be used with approval of the Board of Architecture.
- Smooth finishes and or other light finish texture should be used on exterior plaster or stucco.

e. Screening

- Roof mounted equipment (except for solar panels and satellite dishes) must be screened from adjacent public ground level views by parapet or architectural features. This applies particularly to multi-family residential and campus housing buildings.

- All exterior components of plumbing, heating and cooling systems, and ventilating systems located near or at ground level must be screened from public view by walls, fences, berms, landscaping, or a combination thereof.

f. Gutters and Downspouts

- Gutters and downspouts may be located within the walls of the building.
- If exposed, the colors of gutters and downspouts should match or complement the surface to which they are attached to, or the accent colors of the building.

g. Sustainable Building Design

- Use energy efficient lighting, cooling systems, and windows to promote natural ventilation.
- Promote the use of natural ventilation through building orientation, window placement, architectural shade elements and landscape design.
- Install Energy Star appliances and low-flow water fixtures.
- Properly install drywall, insulation, and sealing to maintain the optimal temperature inside the home.
- Use renewable and recyclable building materials wherever feasible.
- Implement an on-site construction waste recycling program.

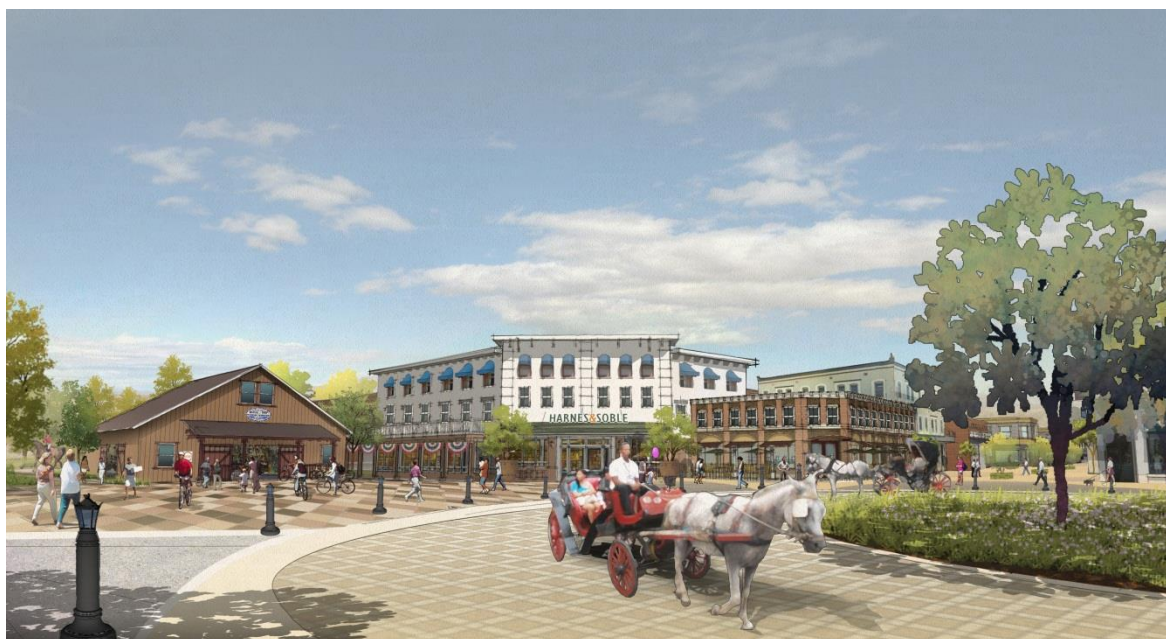
5.3 Commercial Architectural Design Guidelines (C-2 Planning Area)

The Monterey Downs Country Walk commercial district (C-2 Planning Area) will function as a vital commercial boulevard that supports the needs of recreation tourism visitors and local residents. Appropriate uses for this district include commercial, retail services, restaurants, hotels, offices, theaters, museum/cultural venues, mixed-use development, and multi-family residential. The commercial district is a place for shopping, dining, working and gathering. It will be designed to be reminiscent of the retail found along Main Street in many smaller towns and cities, as an open-air town center with a Western character. Businesses will be situated along the pedestrian street.

5.3.1 Western Architectural Style

Building architecture within the commercial district should adhere to a Western architectural theme. A mix of different architectural styles is discouraged, although variety of building colors and materials within the overall context of Western architecture is permitted. Distinguishing characteristics of the Western architectural theme are described below.

- Rectilinear building form, with a dominant use of the 90 degree angle for major plane and elevation elements
- Street façade consisting of a series of small buildings that vary in height, colors and materials
- Building fronts generally set to the street property line or build-to line with zero front setback



The conceptual drawing is provided for illustration purposes only. Actual site development concept may vary.

Commercial District Concept

- Typically shed or gable roof with the ridgeline extending perpendicular to the street and ending at the false front or parapet of the building
- Relatively articulated doors and windows
- Windows designed to represent multiple, small panes of glass rather than large plate glass
- Transom windows
- Flat arches on masonry façade
- Awnings over windows
- Doors with solid or opaque perimeter, glass panels in the center; ornate brass or bronze hardware
- Pilasters and reveals
- Cornices and corbels along parapets
- Accent base and capitals on columns and posts
- Champhered corners on columns and posts
- Exterior building materials consisting of horizontal wood siding with a reveal, vertical wood board and batten, brick masonry, corrugated tin or galvanized steel, steel trowelled smooth finished concrete plaster
- No highly reflective or mirrored glass is permitted
- Wall surface colors to recall natural materials; no bright, artificial or metallic colors
- Accent colors to be muted blues, greens, yellows, browns, and shades of white and beige.
- Roof materials consisting of composition shingle, flat concrete tile, corrugated or standing seam metal compatible with the Western architectural theme

Examples of the Western architectural style are depicted on the following pages. The Western architectural theme should be a contemporary interpretation of historic architecture and not an exact re-creation of a historic Old Western town.

CHAPTER 5 – Architectural Design Guidelines



Examples of Western Architecture



Examples of Western Architecture

CHAPTER 5 – Architectural Design Guidelines



Examples of Western Architecture



Examples of Western Architecture

CHAPTER 5 – Architectural Design Guidelines

5.3.2 General Architectural Guidelines

- Buildings should front onto a central street or spine, which shall be designed as a vehicle free zone with the exception of horse-drawn carriages.
- Along the central retail street or spine, building fronts should generally be arranged to the property line or a build-to line with zero front setback, except where recesses are provided for entries or covered sidewalks.
- Three- or four-story buildings may have a second floor balcony creating a first floor porch, setting the main building mass back from the street.
- Mixed-use projects are encouraged for buildings that are two stories or higher, such as first-floor retail with office, boutique hotel, or residential uses above. Visually, this arrangement divides the facade into two basic parts: the upper façade and the storefront.
- Two-story and taller buildings should have a full height façade, with the upper story(ies) generally at the front property line.
- Large monolithic buildings, such as movie theaters and cultural venues, may be set back from the street or build-to line and lined with smaller businesses in front to create a more appealing streetscene.
- Parking will be provided behind the commercial and mixed-use buildings, connected by pedestrian passageways and walkways between buildings.
- Open views into the retail space at the storefront level will enhance the pedestrian experience by providing a visual connection to the use inside the building. On upper levels, windows should continue the aesthetics of the building while serving the occupants' need for privacy.
- Primary entrances into retail buildings should be clearly marked and provide a sense of welcome and convenient access into the building interior.
- Entry area walls should incorporate accent colors, higher level of detailing, and entry/accent lighting.
- Corner buildings may be designed as anchor buildings. Anchor buildings are often larger in scale and massing than surrounding buildings, and may have more ornamentation than adjacent buildings. In addition, anchor buildings typically have both primary and secondary façade that relate to the streets on which they front.
- Horse corral and dog barns/lockers for visitors to leave their horses and dogs while they shop and/or dine are proposed in the Country Walk. These ancillary structures

shall be designed with 4-sided architecture consistent with the architecture of the nearby buildings.

- Bicycle parking facilities shall be provided in the commercial district (see Table 6.2). These facilities should be designed to be consistent with the main building architecture, as appropriate.
- Vary roof forms in the commercial district rather than using singular monolithic roofs. Flat roofs with parapets are permitted.
- Rooftop equipment shall be screened so as not to be visible from ground level views from public streets.
- Exposed gutters and downspouts should be colored to match or complement the surface to which they are attached.
- Signage plays a major role in creating a strong visual image for the commercial district. Signs should be in keeping with overall scale of the building or storefront to which they are attached. A sign program shall be submitted along with the conceptual architectural plan for each development. The sign program shall be approved by the Board of Architecture.
- Service, loading, and storage areas shall be conveniently located in proximity to the building served, to the extent possible, and shall be integrated into the site design of the development.
- Where the rear façade of the commercial and/or mixed-use buildings front on public or private streets, the rear building facades shall be articulated with trim or other design elements to create the appearance of 4-sided architecture.

5.4 Hotels and Office Park Architectural Guidelines(C-1 Planning Areas)

5.4.1 Architectural Styles

The architectural styles of the extended stay hotels and office park development within Monterey Downs should be similar to the blend of traditional styles found in Seaside and surrounding areas. Complementary architectural styles, such as Craftsman, Monterey and Spanish Eclectic, which relate to the Western architectural style of the commercial district, are appropriate for the extended stay hotels and office park buildings.

Examples of the appropriate architectural styles for the extended stay hotels and office park buildings are shown on the following pages.



Examples of Compatible Architectural Styles for Extended Stay Hotels

CHAPTER 5 – Architectural Design Guidelines



Examples of Compatible Architectural Styles for Extended Stay Hotels



Examples of Compatible Architectural Styles for Office Park Buildings

CHAPTER 5 – Architectural Design Guidelines



Examples of Compatible Architectural Styles for Office Park Buildings

5.4.2 General Architectural Guidelines

a. Form, Height and Massing

- Building architecture should address public areas with high quality materials, and should contain architectural elements and details relating to the human scale.
- Groups of buildings should be arranged in clusters around elements such as landscaped pedestrian walkways or landscaped areas.
- Buildings within the office park development should relate visually to one another and be compatible with adjacent buildings.
- Building design should consist of simple, geometric forms that complement the architectural style of the building.
- The bulk of the buildings should be broken up through articulation of the building mass and the use of color. Builds should have a two-foot physical break at least every 25 feet of horizontal building façade.

b. Façade, Features and Details

- Building design features and details should complement the architectural style of the building.

- All building elements should appear as an integral part of an overall site design concept. Details should be simple and streamlined and integrated into the buildings and not simply be applied as an afterthought.
- Front building façades should be designed with a high level of visual interest.
- Long, unarticulated building façades should be avoided.
- Provide architectural enhancements at main building entrances, where appropriate.
- Primary building entrances should be clearly visible and directly accessible from the streets and/or parking areas.
- Signs should be in keeping with overall scale of the building or storefront to which they are attached. A sign program shall be submitted along with the conceptual architectural plan for each development. The sign program shall be approved by the Board of Architecture.

c. Materials and Colors

- Use attractive, durable, high quality and weather resistant materials for all visible and weather exposed surfaces on the building exterior.
- Use integrally colored inorganic materials such as brick, concrete, stone, copper, core

CHAPTER 5 – Architectural Design Guidelines

ten steel, metal, and anodized aluminum.

- Use glass to extend the interior space to the outside and create a visual link with the exterior setting.
- Subdued colors, though not specifically limited to earth tone colors, are encouraged. The use of bright, vibrant colors and primary colors are acceptable for signage, but otherwise should be limited to accent colors.

d. Roofs

- Roof treatments should be compatible with the building's architectural style.
- Use of varied roof forms and offsets in the project is encouraged over singular monolithic roofs.
- Flat roofs or a combination of flat and sloped roofs may be used.
- Roof materials should have a matte finish to minimize glare. Highly reflective roof surfaces are discouraged.
- Roof materials may be, but not limited to, clay or concrete flat tiles, clay or concrete shakes, painted metals and built-up roof. Wood shingle or shake roofs are prohibited.

e. Utilities and Mechanical Equipment

- Rooftop equipment shall be screened from view by architectural features integral to the design of the building.
- Rooftop mechanical equipment on larger buildings should be dispersed, where possible, and painted to match the rooftop.
- Utilities and mechanical equipment should be screened from public review.

f. Service, Loading and Storage Areas

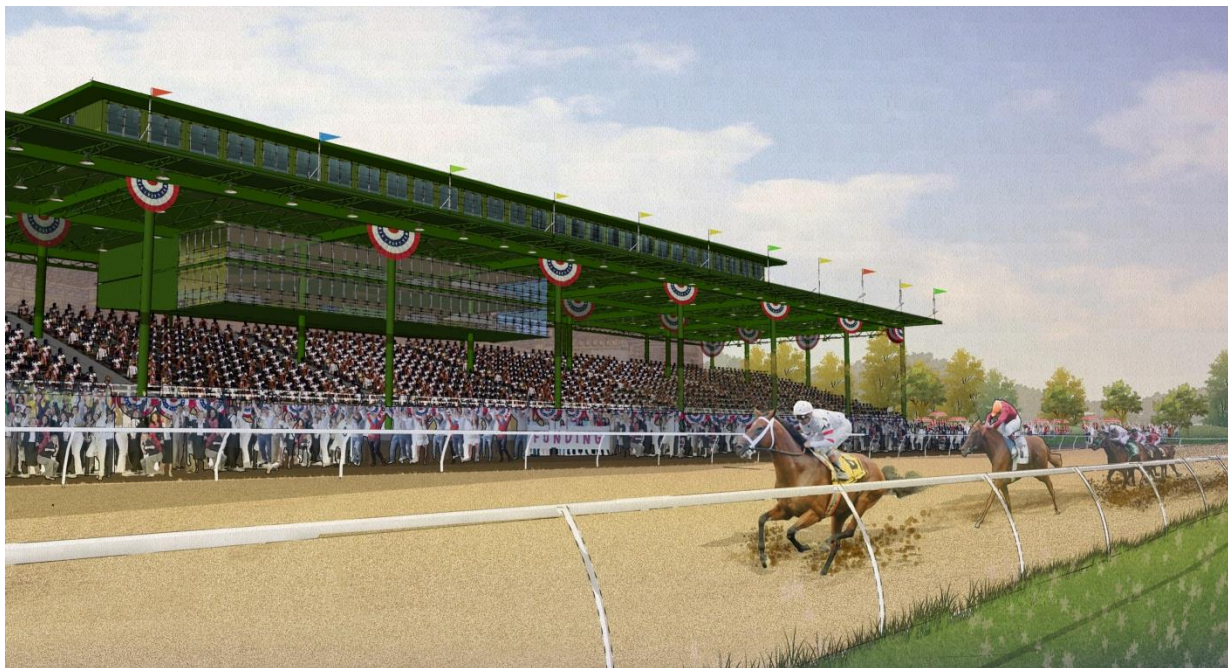
- Service, loading and storage areas should be located away from the streets and activity areas, and be integrated into the site design of the development.
- Storage containers or accessory structures should be architecturally treated on all exterior sides.

5.5 Horse Park, Training Track (with stands) and Sports Arena Architectural Design Guidelines (Rec-1 & Rec-2 Planning Areas)

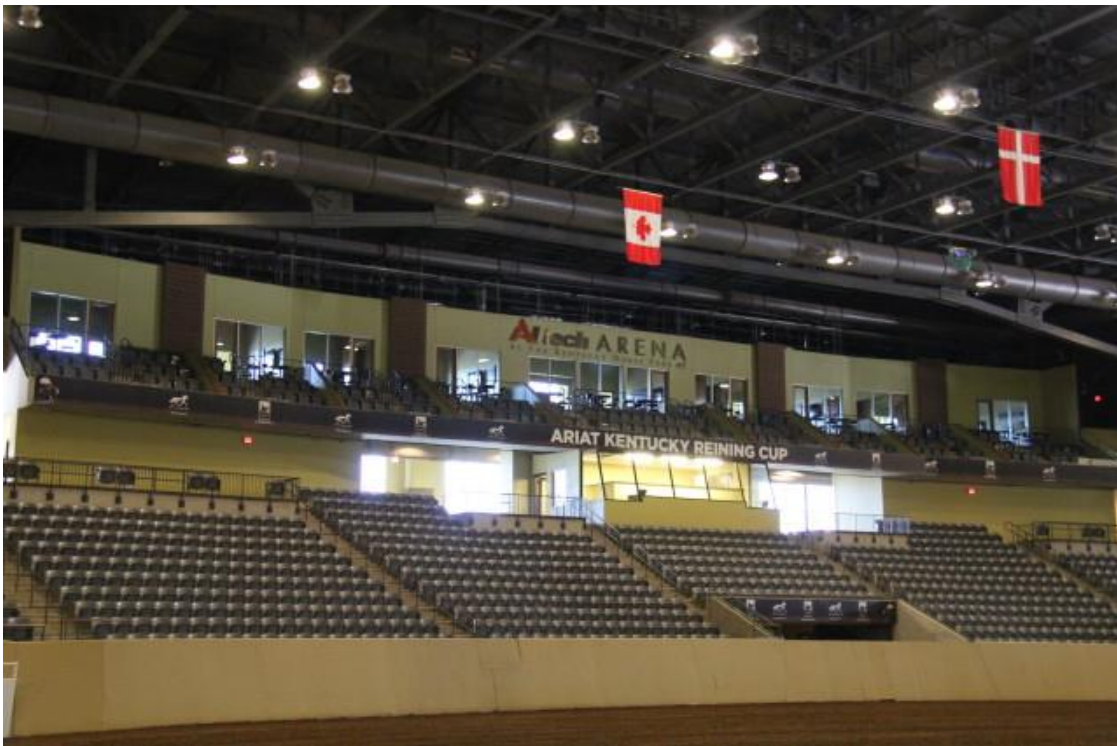
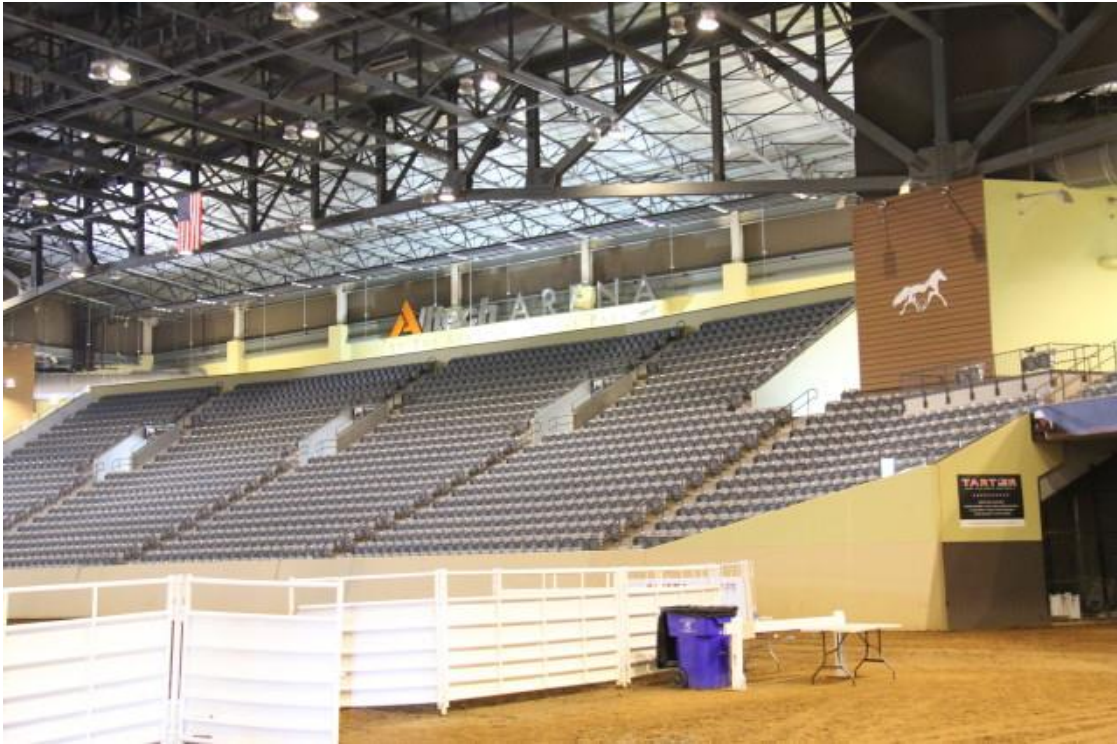
The architectural style of buildings in the horse park should be themed to reflect the equestrian nature of the venue. The architectural style of the sports arena complex should be compatible with the architectural styles in the other areas of Monterey Downs. Typical examples of the sports arena, grandstand, training track and horse stables are shown on the following pages. The final design of the sports arena/seating area/training track complex and the horse park shall be determined by the project developer, and shall be subject to review and approval by Seaside.



CHAPTER 5 – Architectural Design Guidelines



Typical Examples of Sports Arenas/Grandstands



Typical Examples of Sports Arenas/Grandstands

CHAPTER 5 – Architectural Design Guidelines



Typical Examples of Training Track/Arena and Stables

This side intentionally left blank

DEVELOPMENT STANDARDS

6.1 Introduction

The Monterey Downs Specific Plan proposes the development of a new community with a mixture of equestrian, residential, visitor serving, mixed-use commercial, and open space uses. The collection of land uses are arranged in a clustered (or traditional neighborhood) configuration, where the proposed urban land uses are located adjacent to the developed portions of the former Fort Ord military base. Moving away from these more urban/suburban environments, the Specific Plan proposes the development of visitor serving equestrian uses, open space, and cemetery land uses, which are intended to provide a logical transition between the urban/suburban core and former Fort Ord's surrounding open space preservation areas. As a result, the Monterey Downs Specific Plan will serve as a model for consistency with respect to the Fort Ord Base Reuse Plan (BRP), the Fort Ord Habitat Management Plan, and the principles of Smart Growth.

The regulations contained in this Chapter are intended to provide for development

of all properties located within the Specific Plan area. This Chapter establishes the development standards for the proposed development within the Specific Plan area.

The standards contained in this Chapter of the Specific Plan supersede those of the City of Seaside Municipal Code (Municipal Code), unless otherwise stated herein. Where the language in this Specific Plan is undefined, unclear, or vague, then the final interpretation and determination shall be made by the Zoning Administrator. At his or her discretion, the Zoning Administrator may forward an item requiring interpretation to the Planning Commission for determination. In addition, any decision by the Planning Commission may be appealed to the City Council for final determination. All decisions by the City Council shall be deemed final.

In instances of conflicting regulations and standards, the standards and regulations contained in the Specific Plan shall take precedence over the Municipal Code. Where standards, regulations or requirements of governing agencies (such as the California Horse Racing Board,

Regional Water Control Board, or EPA) conflict with those of the Specific Plan, the applicant may apply for a Minor Modification pursuant to sec. 8.3.2 (5). If this Specific Plan is silent on an issue, then the standards in the Municipal Code shall apply. The provisions in this Chapter are not intended to interfere with, abrogate, or annul any easement, covenant, or other agreement between parties.

6.2 Definitions

For the purposes of this Chapter, definitions shall be the same as described in Chapter 17.10, Definitions, of the Municipal Code, except as otherwise defined in this Specific Plan.

6.3 Sustainability Requirements

All developments within the Specific Plan shall incorporate the current Title 24, Part 6, California Energy Efficiency Standards for Residential and Nonresidential Buildings, Title 24, Part 11, California Green Building Standards Code (CALGreen) requirements for low-rise residential apartments and dwellings, and MCWD Water Conservation Rules-New Construction, Ordinance #40.

A developer or builder may elect to add additional sustainable features.

6.3.1 All Developments

Site Design

- Comply with City adopted California Building Code and all

existing City ordinances for energy efficiency, landscaping and water conservation as well as Section 7.2, Landscape Design Principles, and Section 7.4, Landscape Standards of the Specific Plan.

- Where active or passive solar energy features are incorporated into building design, document that building(s) will have adequate solar access and proper building orientation.
- Outdoor lighting shall not extend past property.
- Utilize low-pressure sodium, LED, or equivalent lighting for parking lot lighting except where true-color rendering is desired. All parking lot lighting shall be down cast (cut-off) fixtures.
- Stormwater BMPs, Low Impact Development (LID) techniques, and erosion control devices will be utilized during construction and post-construction consistent with the most current NPDES requirements at the time of development. This will uphold the integrity of the drainage system and retain the effectiveness of the infiltration basins.

Construction Site

- All construction sites shall have easy access to well-organized recycling bins for wood, cardboard, metals, glass, and other potential recyclable materials as well as an appropriate number of debris

CHAPTER 6 – Development Standards

containers, which shall be used to ensure that the construction site is clean at all times.

Water Conservation

- Commercial and multi-family landscaping shall use reclaimed water when available.
- Commercial buildings (excluding hotels) shall use reclaimed water for toilet flushing.
- Commercial buildings shall use waterless urinals.
- Single-family residential homes shall use reclaimed water for front yard landscaping.
- 80% of single-family lots shall be non-turf.
- If cisterns are installed they shall be water tight with smooth interior surfaces with an appropriate filter. Cisterns shall be sized according to local rainfall and rooftop size.
- Cisterns and wastewater pipes shall not be connected.
- If a rainwater harvesting system is utilized it shall not be hooked to the public water supply system.
- Any outdoor water features shall be designed for low flow pumps and placed where shading can be provided.

Equipment

- Install Energy Star appliances (dishwashers, refrigerators etc.) and equipment including computers, printers and other

peripherals when offered and commercially practicable.

Indoor Energy Conservation

- If air conditioning units are installed they must meet the federal minimum energy efficient standards in effect at the time of a plan check submittal.
- Fluorescent fixtures (Energy Star rated) shall have electronic ballast to eliminate noise and flicker.
- Compact and other fluorescent lighting shall be used as much as possible in recessed, ceiling, and wall fixtures.
- Use Energy Star lighting as a more efficient higher quality lighting alternatives.
- Install Energy Star programmable thermostats.
- Any ceiling fans installed shall be Energy Star rated and have a Sound Level (sone) rating of 1.5 preferred, but in no case more than 2.0.

6.3.2 All Residential Development

Model Homes

- In at least one model home, and as options to the buyer, use environmentally preferable materials for the interiors such as rapidly renewable resources (cork or bamboo, Forest Stewardship Council (FSC) wood, and materials with a high level of recycled content). Said materials shall be properly identified in the model homes

- to alert buyers of their availability.
- Provide time motion-activated lighting in all model homes to reduce energy consumption during times the models are not being viewed.

Water Efficient Plumbing Fixtures and Appliances

- Install low flow plumbing fixtures (toilets, faucets, etc).
- Install water saving dishwasher with Energy Star rating.

Indoor Energy Conservation

- Install attic exhaust fan.
- Allow for adequate ventilation areas above and on the sides of refrigerators.
- Provide indoor (and/or outdoor) motion-activated lighting option to homebuyer.
- All appliances provided by the builder shall be Energy Star rated.

6.3.3 Single-Family Detached Housing

Model Homes

- In at least one model home, and as options to the buyer, plant a backyard wildlife garden using native materials.

Outdoor Energy Conservation

- Provide option to homebuyer to install a compost bin.

- Provide outdoor motion-activated lighting option to homebuyer.

6.3.4 Multi-family Development

Site Design

- Provide shade (within 10 years) on at least 30% of onsite impervious surfaces, including parking areas, driveways, walkways, plazas, patios, etc. (excluding roofs) or use light-colored/high-albedo materials (reflectance of at least 0.3) for 30% of the site's non-roof impervious surfaces.
- Provide secure bicycle storage for apartments.
- On mixed-use buildings at least 60% of all windows on the second and higher floors must be operable.

Outdoor Energy Conservation

- Install motion detectors to control residential outdoor lighting.

CHAPTER 6 – Development Standards

6.3.5 Equestrian Facilities

Equestrian Management Plan

Commercial Equestrian Facilities shall prepare an Equestrian Management Plan (EMP) in accordance with Section 8.3.3 Development Review and Application Procedures. The following are the minimum requirements to be included in the EMP:

- Clean Up manure and soiled beddings daily and place in properly designed manure storage area.
- Manure storage areas shall have a concrete (or similar) bottom and shall be covered during rain.
- Provide berm or other design solution to keep runoff away from manure storage areas.
- Manure from manure storage areas shall be disposed of weekly, preferable to a facility that will reuse for fertilizer or for mushroom farming.
- Direct run-off away from corrals, paddocks, arenas, waste storage facilities and other areas that are

likely to contain horse waste or be void of vegetation.

- Provide grass filter strips, bio-swales or other LID facilities around and downstream of high-use areas.
- During dry months, lightly water high use areas to minimize dust.
- Provide gutter and downspouts on barns and other roofed facilities to direct “clean” water away from manure or bare soil areas in a non-erosive manner.
- Plant or construct windbreaks around bare soil areas to reduce wind erosion and provide dust control.

6.4 Lot and Building Requirements

Tables 6.1 through 6.3 establish the lot and building requirements for Planning Areas within the Specific Plan. **Figures 6.1 and 6.2** provide conceptual plot plans for varying residential single-family lots sizes.

**TABLE 6.1
RESIDENTIAL LOT AND BUILDING REQUIREMENTS
(RES-1, RES-2 & RM PLANNING AREAS)**

	SFD RESIDENTIAL	SFD Courtyard RESIDENTIAL	MF RESIDENTIAL/ CAMPUS HOUSING
LOT CRITERIA			
Lot Width ³	42' min.	no min.	no min.
Lot Depth	60' min.	no min.	no min.
Lot Area ¹⁰	2,500 s.f. min.	no min.	no min.
Lot Coverage	60% max.	70% max.	70% max.
DWELLING UNIT SIZE			
Dwelling Unit Square Footage	1,200 s.f. min.	1,000 s.f. min.	Studio – 350 s.f. min. 1 bedroom – 550 s.f. min. 2 bedrooms – 700 s.f. min. 3 or more bedrooms – 900 s.f. min. Campus housing – No min.
Accessory Structures	400 s.f. max.	400 s.f. max.	400 s.f. max.
BUILDING SETBACKS^{1,2}			
Front Setbacks			
Living Area	10' min.	10' min.	6' min.
Porch	5' min.	5' min.	5' min.
Garage	18' min. ⁷	2' min from alley drive	N/A
Side Setbacks	3.5' min. (lots less than 3,750 sq.ft.) 5' min (lots greater than 3,750 sq.ft.) 6' min for street side corner lots	N/A (see Building Separation standards below)	N/A (see Building Separation standards below)

CHAPTER 6 – Development Standards

Rear Setbacks ⁸			
Main Structure			
60-64 foot lot depth	10'	N/A	N/A
65-70 foot lot depth	12'	(see Building	(see Building
71-79 foot lot depth	15'	Separation	Separation standards
Over 80 foot lot depth	15'	standards below)	below)
2nd Story Deck or Patio Cover (not exceeding 15' in length)	10'	5'	N/A
Decks over 3' above grade ⁹	5'	5'	N/A
BUILDING SEPARATION			
Distance Between Structures (including accessory structures)	7' min. (lots less than 3,750 sq.ft.) 10' min (lots greater than 3,750 sq.ft.)	7' min.	Front to front – 25' min. Front to side – 20' min. Side by side – 10' min. Side to rear – 24' min. Rear to rear – 20' min.
Garage Door to Garage Door	N/A	24' min.	28'
Between 2 nd and/or 3 rd Level Livable Areas Across an Alley Drive	N/A	24' min.	N/A
BUILDING HEIGHT⁴			
Building Height	30' max. 32' max. (pitch greater Than 6/12)	40' max.	50' max.
Accessory Structure	15' max.	15' max.	25' max.
PRIVATE OPEN SPACE			
Private Open Space	350 s.f. min. on the ground floor with a min. dimension of 12'	100 s.f. min. on the ground floor with a min. dimension of 8'	100 s.f. min. on the ground floor with a min. dimension of 6' or 60 s.f. min. on upper floor with a min. dimension of 5'

Monterey Downs and Monterey Horse Park and C.C.V.C. Specific Plan

Usable Open Space in Common Areas	N/A	N/A	150 s.f. min. per unit
OFF-STREET PARKING⁶			
Required Parking Spaces Per Unit			
SFD/SFD Cluster	2 spaces min. in an enclosed garage	2 spaces min. in an enclosed garage	N/A
MF/Studios	N/A	N/A	1 covered space per DU + 0.2 guest space per DU
MF/1 Bedroom	N/A	N/A	1 covered space per DU + 0.2 guest space per DU
MF/2 Bedrooms	N/A	N/A	2 covered spaces per DU + 0.2 guest space per DU
MF/3 or More Bedrooms Campus Housing	N/A	N/A	2 covered spaces per DU + 0.2 guest space per DU Undergraduate housing – 0.75 space per bed Graduate housing – 1.0 space per bed
Bicycle Parking	N/A	N/A	Equal to a min. of 10% of required vehicle parking spaces
WALLS, FENCES AND HEDGES			
Height in Front Setback Area	42" max.	42" max.	42" max.
Height at Interior or Rear Property Line ⁵	6' max.	6' max.	6' max.

CHAPTER 6 – Development Standards

Table 6.1 Footnotes:

1. Architectural projections may project a maximum of 3' into the required front and rear setback areas. Architectural projections may project up to 1.5' into side yard setbacks where the side yard setback is 5' or greater. Where the side yard setback is less than 5', no architectural projection shall be permitted. An architectural projection is defined as an element that articulates the building elevation, such as eaves, window and door pop-out surrounds, enhanced window sills, shutter details, window trim, bay windows, balconies, pot shelves, chimneys, entry gates, and other similar elements.
2. In cases involving flag lots or irregularly shaped lots, the Zoning Administrator shall determine the minimum setbacks consistent with the Specific Plan concepts and utilizing good planning practices.
3. Lot width is measured at the required front and rear setback of each lot.
4. Architectural projections such as chimneys, cupolas and similar features associated within RM housing may exceed the maximum height limit by 10'.
5. Walls may extend up to 8' in height when adjacent to an arterial road or when placed on top a retaining wall. When place on top of a retaining wall maximum height shall be measured from the lowest grade. Any increase above 8' in height must be approved as a fence exception in accordance with Section 17.30.020.F of the Seaside Municipal Code.
6. Required number of parking spaces shall be round up when total equates to a fraction of 0.5 or greater.
7. When the garage is setback less than 20' from the front property line, a minimum 20' long driveway is required. The driveway length shall be measured from the garage door to the inside of the sidewalk or curb, whichever is the lesser distance.
8. Where the rear yard setback is less than 15', a minimum area of 15' by 15' must be provided within the rear yard.
9. The width of an aboveground deck shall not exceed 15 feet measured parallel from the rear property line.
10. Although lot sizes will be a minimum of 2,500 square feet, lots will vary in size. The gross area of the Res-1, Res-2, and Res-3 Planning Areas totals 126.5 acres. With 854 homes within these Planning Areas, there will be approximately 6,450 square feet of land per residential home. The smaller lot sizes will allow additional land to be used for open space, trails, parks and other amenities.

**TABLE 6.2
COMMERCIAL AND MIXED-USE LOT AND BUILDING REQUIREMENTS
(C-1 & C-2 ZONES)**

	COMMERCIAL, MIXED USE (C-1)	OFFICE, HOTEL, RECREATION (C-2)
SITE CRITERIA		
Development Parcel Area	No minimum requirement	No minimum requirement
Development Floor Area Ratio	2.0 FAR max.	2.0 FAR max.
BUILDING SETBACKS		
From Eastside Parkway and Gigling Road ROW	10' min.	10' min.
From Interior Property Lines	0' min.	0' min.
BUILDING HEIGHT		
Building Height	Retail and Mixed Use Buildings – 4 stories or 50' max., whichever is greater	Office Parks – 4 stories or 50' max., whichever is greater
	Theaters and Cultural Venues/Museums – 60' max.	Extended Stay Hotels – 4 stories or 50' max., whichever is greater
	Stand-alone Boutique Hotels – 4 stories or 50' max., whichever is greater	Hotel Recreation Building and Accessory Buildings – 2 stories or 35' max., whichever is greater
		Swim & Tennis Athletic Club Buildings – 35' max. for principal buildings; there is no maximum height limit for pool clamshell structures
OFF-STREET PARKING		
Surface Parking Area Setbacks		
From Eastside Parkway and Gigling Road ROW	20' min.	20' min.

CHAPTER 6 – Development Standards

**TABLE 6.2
COMMERCIAL AND MIXED-USE LOT AND BUILDING REQUIREMENTS
(C-1 & C-2 ZONES)**

	COMMERCIAL, MIXED USE (C-1)	OFFICE, HOTEL, RECREATION (C-2)
From Private Streets	5' min.	5' min.
Parking Structure Setbacks	10' min.	10' min.
Parking Structure Height (measured from grade levels)	4 stories or 48' max., whichever is greater (shall not exceed the height of the adjacent buildings)	4 stories or 48' max., whichever is greater (shall not exceed the height of the adjacent buildings)
Required Parking Spaces ^{1,2, 3}		
General Retail	1 space/500 square feet	N/A
Restaurant	1 space/75 square feet of dining area	N/A
Office	1 space/400 square feet	1 space/400 square feet
Movie Theater	1 space/4 seats	N/A
Hotel	1 space/room, plus 0.2 space/employee	1 space/room, plus 0.2 space/employee
Speculative Building	1 space/200 square feet	1 space/200 square feet
Multi-Family Residential/ Campus Housing	See parking standards for MF residential/campus housing in Table 6.1	N/A
Bicycle Parking	Equal to a min. of 5% of required vehicle parking spaces.	Equal to a min. of 5% of required vehicle parking spaces.
Meeting Hall / Community Center	1 space/4 seats or 1 space/100 square feet	1 space/4 seats or 1 space/100 square feet
Medical / Veterinarian	1 space/250 square feet	1 space/250 square feet
Brewery / Winery	1 space/150 square feet	1 space/150 square feet

TABLE 6.2
COMMERCIAL AND MIXED-USE LOT AND BUILDING REQUIREMENTS
(C-1 & C-2 ZONES)

	COMMERCIAL, MIXED USE (C-1)	OFFICE, HOTEL, RECREATION (C-2)
Therapeutic Massage	1 space/250 square feet	1 space/250 square feet
Convenience Store	1 space/200 square feet	1 space/200 square feet
Day Care Center	2 spaces/employee plus adequate drop-off area	2 spaces/employee plus adequate drop-off area

Table 6.2 Footnotes:

1. For development in the C-1 and C-2 Planning Areas, a shared parking analysis is allowed to be performed on a project basis.
2. For required parking calculations, square footage shall be measured from gross leasable area, excluding bathrooms, hallways, and mechanical rooms.
3. Where uses are not listed, required parking spaces shall conform to the City of Seaside Municipal Code standards.

TABLE 6.3
RECREATIONAL LOT AND BUILDING REQUIREMENTS
(REC-1 & REC-2 ZONES)

	HORSE PARK (REC-1)	TRAINING FACILITY (REC-2)
STRUCTURE SETBACK		
Front Setbacks	15' min.	50' min.
Side Setbacks	10' min.	10' min.
Distance Between Structures		
1-Story Structures	15' min.	15' min.
2-Story or Higher Structures	20' min.	20' min.
STRUCTURE HEIGHT		
Horse Stables, Barns, Maintenance Buildings, and Other Accessory Use Buildings (such as veterinarian offices, chapels, etc.)	32' max. (not including an additional 10' for steeples, cupolas, and other design features)	42' max.
Sports Arena/Grandstand	N/A	100' max. (150' max. including towers, steeples, domes, cupolas, and other similar features)
Qualified Worker Lodging	N/A	4 stories or 50' max., whichever is greater
OFF-STREET PARKING		
Surface Parking Area Setbacks		
From Eastside Parkway ROW	20' min.	20' min.
From Private Streets	5' min.	5' min.
Parking Structure Setbacks	20' min.	20' min.
Parking Structure Height	5 stories or 60' max., whichever is greater (shall not exceed the height of the adjacent buildings)	5 stories or 60' max., whichever is greater (shall not exceed the height of the adjacent buildings)

**TABLE 6.3
RECREATIONAL LOT AND BUILDING REQUIREMENTS
(REC-1 & REC-2 ZONES)**

	HORSE PARK (REC-1)	TRAINING FACILITY (REC-2)
Required Parking Spaces	1 space for every 5 horse stalls 5% of parking spaces shall be sized for RV/trailer parking.	1 space for each 5 grandstand/sports arena seats 1 space for each worker lodging unit

Table 6.3 Footnotes:

1. For future development in the REC-2 zone, a shared parking analysis is allowed to be performed on a project basis.



TYPICAL LOT SIZES

- 43' X 65' LOTS
- 43' X 75' LOTS

Figure 6.1

This side intentionally left blank



TYPICAL LOT SIZE

50' X 80' LOTS

Figure 6.2

Plot Plan Concepts



MONTEREY DOWNS & MONTEREY HORSE PARK & C.C.V.C. Specific Plan

This side intentionally left blank

Landscape and Grading Design Standards

7.1 Introduction

Landscaping is an especially important component of the Specific Plan, as each unique environment within the Specific Plan area will be defined as much by the quality of the landscaping as by the architecture and urban design.

This Landscape and Grading Design Standards Chapter is intended to facilitate the development of the Specific Plan area in a manner that is aesthetically pleasing, vibrant, and environmentally sound and pedestrian oriented. In addition, this Chapter establishes the preferred landscape design patterns for the Specific Plan area as well as the guidelines and standards from which formal landscape plans and grading plans will be developed and implemented by future development projects.

In instances of conflicting regulations and standards, the standards and regulations contained in the Specific Plan shall take precedence over the Municipal Code. Where standards, regulations or requirements of governing agencies (such as the California Horse Racing Board, Regional Water Quality Control Board,

EPA, etc) conflict with those of the Specific Plan, the applicant may apply for a Minor Modification pursuant to sec. 8.3.2 (5). If this Specific Plan is silent on an issue, then the standards in the Municipal Code shall apply. The provisions in this Chapter are not intended to interfere with, abrogate, or annul any easement, covenant, or other agreement between parties.

7.2 Landscape Design Principles

The following fundamental principles shall guide the formal landscape designs:

- *Provide a diverse range of open spaces:* An assortment of parks and opens spaces are programmed to address neighborhood recreational needs. The park spaces shall enhance neighborhood identity and provide a range of passive and active options for recreation.
- *Provide linkages to regional open space and trails:* The Specific Plan's streets, sidewalks, paseos, multi-use pedestrian, bicycle, equestrian trails

will link to the surrounding regional open space and trail network within Fort Ord Recreational Habitat Area (FORHA) open space lands.

- *Provide plant materials and landscape design features which create long term sustainability:* Landscaping shall include predominantly drought tolerant native or naturalized plant materials with proven adaptation to the region's Mediterranean climate, and plant species capable of providing storm water filtration where appropriate. Plant selection and irrigation design will be in compliance with the MCWD's water conservation measures including the Standard Specifications for Landscaping and Irrigation Systems and the requirements of the State of California Model Landscape Ordinance.

7.3 Conceptual Landscape Planning

The streetscapes, open spaces, trails and parks within the Specific Plan area are "place making" opportunities. In order to achieve the desired standard of quality and sense of place, landscaped areas shall be given a unique character and level of quality that collectively reinforces the identity of the public and/or private realm. **Figure 2.3** illustrates the conceptual plans for landscaping within the Specific Plan area.

7.3.1 Streetscapes

Creating great streets is an essential element of this Specific Plan. The goal is to design streets that promote the needs of pedestrians over vehicles while also

providing an environment that is pleasing to a multitude of users.

Street Tree Planting Program

Streets within each residential neighborhood will be planted with a variety of landscape tree specimens. Where street trees are proposed, large specimen trees will be planted whose canopy and other natural attributes will create a distinct visual impression for pedestrians, residents, and visitors to the community. The list of trees provided below is intended to serve as a guide during preparation of formal landscaping plans. While exact species conformance is not required, the use of plant species not listed below must be proven to have comparable drought tolerance, aesthetic quality, and must not be invasive. In addition, the tree species presented below, and any alternative tree species chosen during final design, must meet the City of Seaside's Landscaping Standards (Section 17.030.040 of the City's Municipal Code).

The following list of drought tolerant trees are permitted along the Specific Plan's boulevards (Monterey Downs Road, Eastside Parkway, Parker Flats Road). Alternative street trees may be approved by the Planning Division as part of the final design review process.

- Arbutus (Arbutus marina/unedo)
- Monterey Cypress (Cupressus macrocarpa)
- New Zealand Christmas Tree (Metrosideros excelsus)
- Coast Live Oak (Quercus Agrifolia)

The neighborhood streets will vary throughout the Specific Plan. Some streets

CHAPTER 7 –Landscape and Grading Design Standards

will include more intimate, narrow rights-of-way with and without sidewalks at the curb edge. Other streets will have wider street sections with meandering sidewalks. **Figures 7.1 and 7.2** contain the list of recommended trees, shrubs, and groundcovers planned throughout the Specific Plan area. **Figure 7.3** provides streetscape planting concepts for private Neighborhood Streets. The sections illustrate planting schemes for widths that will vary between approximately 5-15 feet in width.

Traffic Calming Mechanisms

Traffic calming mechanisms are integrated into the Specific Plan's overall circulation design. These features also double as unique opportunities for additional landscaping which help to soften the streetscape, and differentiate individual land uses, neighborhoods, and the public realm.

The preferred traffic calming mechanisms are traffic circles with compatible landscaping and signage in their centers. In addition, bulb-outs with enhanced intersection and mid-block paving will delineate pedestrian cross-walks, reduce the time needed to cross the street, and further define the pedestrian space. **Figure 7.4** provides conceptual illustrations of the proposed raised traffic circle.

7.3.2 Parks and Open Space

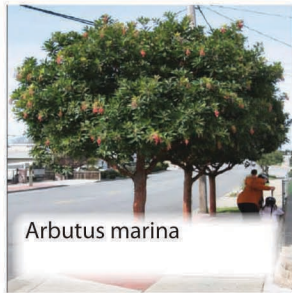
A variety of public and private recreational amenities are proposed within the Specific Plan's park areas. Neighborhood parks, linear parks, and pocket parks will be provided on-site within the RES-1, RES-2 and RES-3 Planning Areas for use by residents. An owners association or

associations should be formed to maintain all of these parks. The conceptual park designs will offer a variety of amenities tailored for each park's intended use. For example, it is envisioned that the more active recreational facilities such as the neighborhood parks will include children's play equipment, pools, grass play fields, barbeque areas, and other suitable facilities to meet the needs of the on-site residents. The more passive recreational spaces, such as paseos, linear parks, and pocket parks, will include more intimately scaled spaces, such as amenities suited for quiet conversation, gardening, small neighborhood gatherings, and sightseeing. Native and/or naturalized plant species as part of the park landscape concept will help conserve resources, complement existing on-site and surrounding natural ecosystems, and provide opportunities for natural stormwater treatment systems. **Figure 7.5** provides a proposed paseo landscape concept.

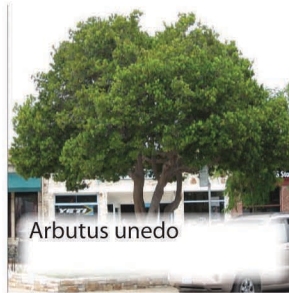
Approximately 72 acres of the Specific Plan area are set aside as open space, which will function as a combination park and natural preserve. The park areas will include a number of pedestrian, bicyclist and equestrian pathways that will link the Eastside Parkway and the Country Walk town center to the FORHA open space preservation areas. In addition, expanded "greenways" are proposed along Parker Flats Road, Gigling Extension, and the Eastside Parkway. The greenways will provide additional off-street pedestrian, equestrian and bicycle connections along with natural transitions between the developed and rural areas of the Specific Plan.

This side intentionally left blank

Trees



Arbutus marina



Arbutus unedo



Cypressus macrocarpa



Metrosideros excelsus

Shrubs



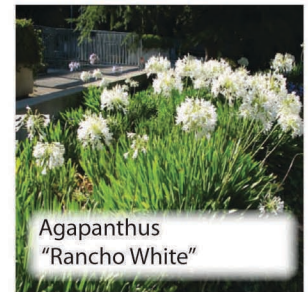
Quercus agrifolia



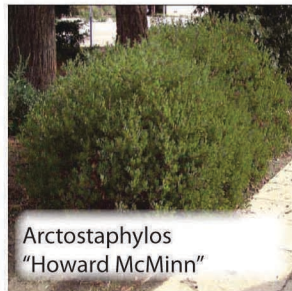
Ceanothus thyrsiflorus



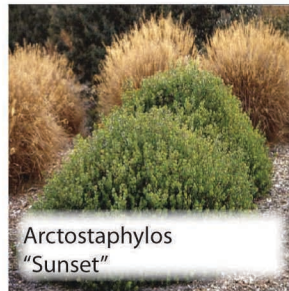
Fremontedendron
"California Glory"



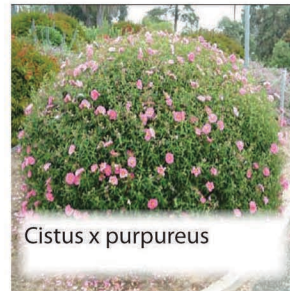
Agapanthus
"Rancho White"



Arctostaphylos
"Howard McMinn"



Arctostaphylos
"Sunset"



Cistus x purpureus



Eriogonum arborescens



Salvia millifera

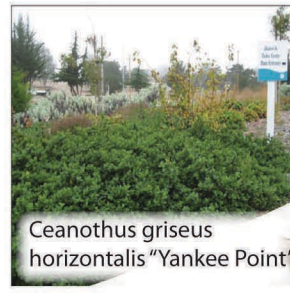
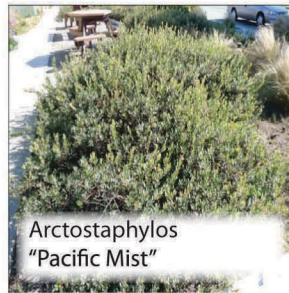


Salvia spathacea

Figure 7.1

This side intentionally left blank

Groundcovers



Grasses

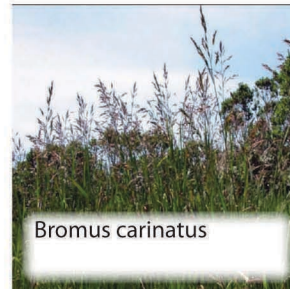


Figure 7.2

This side intentionally left blank

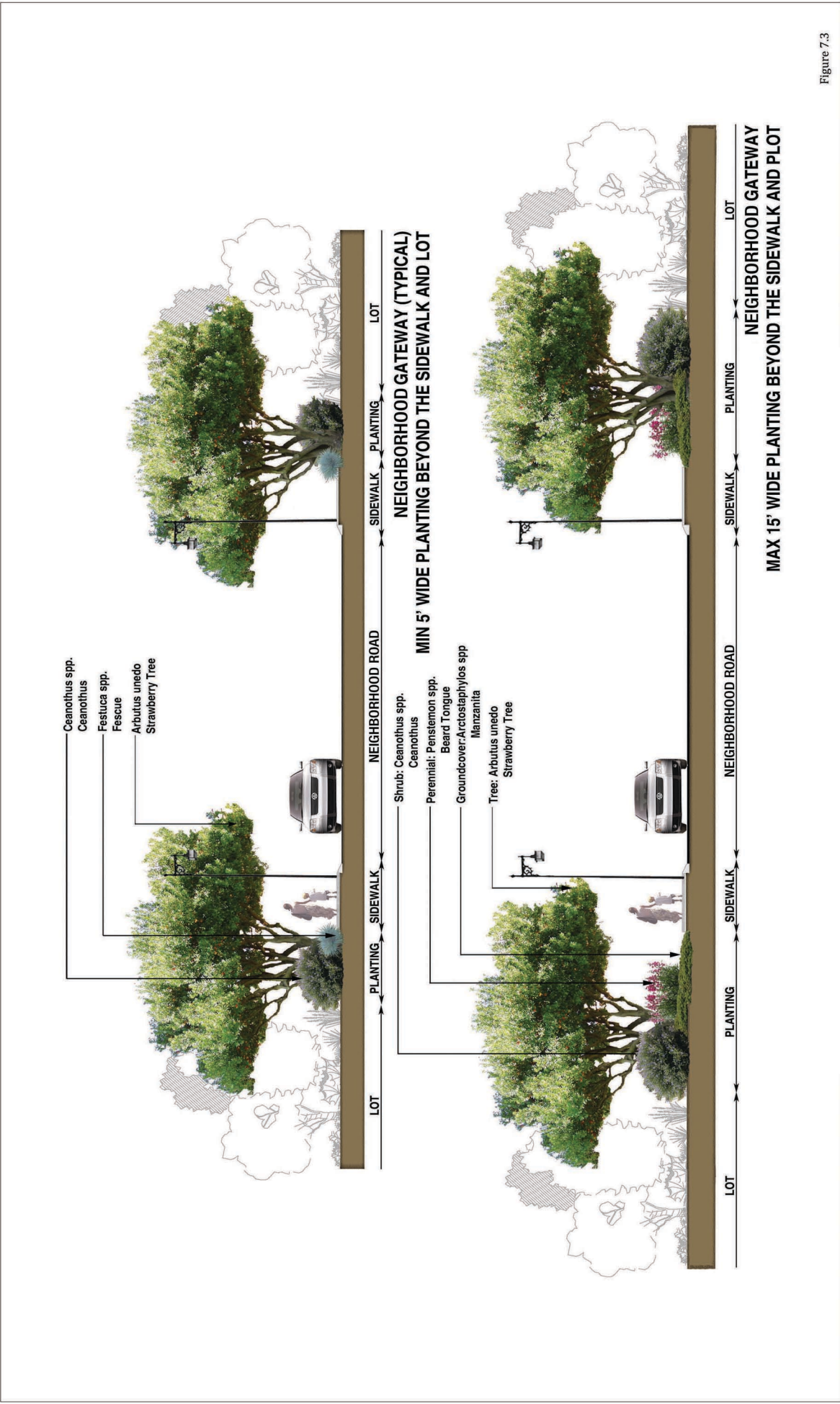


Figure 7.3

This side intentionally left blank



Figure 7.4

This side intentionally left blank

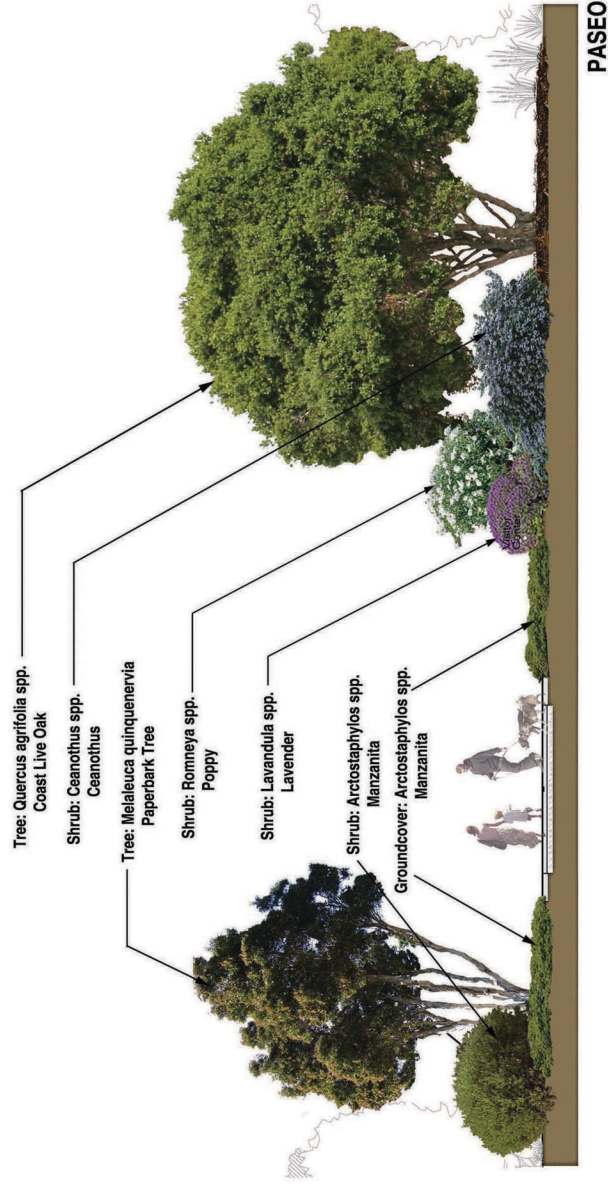


Figure 7.5

This side intentionally left blank

7.4 Landscape Standards

The landscaped environments within the Specific Plan area are considered “place making” opportunities. To achieve the desired level of quality or sense of place within the neighborhoods or open spaces, landscapes should be designed to create an image which collectively reinforces a neighborhood’s desired identity while harmonizing the building forms with its surroundings. To that end, the fundamental landscaping objectives for the Specific Plan are listed below.

- Create a sense of place: Street right-of-way, sidewalks, plazas, parks, greens, landscaped paseos, and trails between residential neighborhoods should be an important part of the overall open space network. The network should help forge neighborhood identity, enhance the enjoyment of the community through activity, and provide visual orientation.
- Connect parks, trails, and open space: Streets, sidewalks, paseos, bike lanes, and trails should be interconnected with existing recreation areas and recreation areas planned within the immediately surrounding area.
- Create diversity of open space: Landscapes should create an assortment of open spaces, including parking areas, trails, yards, gardens, and conserved natural areas. The total area dedicated to formal and informal active or passive recreation spaces and conserved open spaces should reflect the needs of future residents and the surrounding community.

7.4.1 General Guidelines

- Landscape and open space areas shall be an integral part of the overall site

plan design, with a style and amenity level consistent with the surrounding natural environment.

- To the extent practical plant materials should be drought tolerant and non-evasive.
- Plant material within the Firewise Overlay shall be fire resistant.
- Trees shall be used to define and enclose exterior spaces, and to provide physical protection from the sun and wind.
- The design of landscaped open space areas shall enhance the building design, create meaningful public viewsheds, and provide buffers and transitions between adjacent uses.
- Trees, shrubs and vines shall be used to conceal walls, building elevations and parking facilities.
- Arbors, trellises, walls, gates and other structural elements shall be used to reinforce the architecture of adjacent buildings. Landscaped structures shall be compatible and consistent with the architectural treatment of the adjacent buildings.
- Undeveloped or otherwise vacant land intended for future development shall be screened with plants but provide unobstructed visual access for vehicles and pedestrians.
- Plant materials shall not interfere with security lighting, or restrict access to emergency equipment such as fire hydrants or fire alarm boxes.

- Structures surrounding mailboxes should be designed with a style that is compatible with all of the homes.
- Where athletic fields abut a residential property, the athletic field shall provide a minimum 10-foot wide landscape buffer.

7.4.2 Service Areas and Refuse

Enclosures

- Where feasible, utility equipment and communication devices (antennae, satellite dishes, etc.) shall be screened so that the site appears free of all such devices. Utility setback and/or access requirements may require un-landscaped utility areas.
- Construct and maintain service, storage, and maintenance areas according to the following criteria:
 - Store materials, supplies and equipment inside an enclosed building to prevent visibility from the neighboring property and streets.
 - Screen all storage areas with architectural solid screening walls (minimum six feet, maximum eight feet high).
 - Construct architectural screening walls (minimum of six feet, maximum eight feet high) with materials and finishes compatible with and complementary to the building design.
 - Prohibit the intrusion of storage, parking and loading areas into required landscape setbacks.

7.4.3 Walls and Fences

- Use walls and fences for security, visual screening and aesthetic purposes.
- Ensure that walls and fences are consistent with the architecture of the adjacent building in terms of material, color and form.
- Avoid walls, which feature long, un-articulated surfaces. Use pilasters, height variation, setback variations, landscaping, and surface texture or material to vary the wall surface.
- Free-standing walls and fences shall be of the following materials: masonry, with or without stucco finishes, stone or brick veneer, wrought iron and/or painted steel tubing. Wood, chain link or razor wire on top of fencing are prohibited.
- Prohibit walls from encroaching into areas needed for vehicle safe sight-distance.
- Ensure that walls intended to screen storage or refuse areas, outdoor mechanical equipment, or which separate different uses at a property line be of masonry construction and not be less than 6 feet high, and not more than 8 feet in height.
- Walls and fences greater than 36 inches in height shall be prohibited within required front yard setbacks.
- Where appropriate, walls should be covered with living vines in order to discourage graffiti and enhance the appearance of the fence and/or wall.

CHAPTER 7 –Landscape and Grading Design Standards

7.4.4 Paving

These standards for pavements apply to all paved areas on private property intended for use by pedestrians, including enhanced paving areas to be used by both pedestrians and vehicles. Pedestrian pavements may include, but are not limited to sidewalks, paths, walkways, courtyards and plazas.

- Paved surfaces intended for pedestrian and/or bicycle use shall have the following qualities:
 - A surface texture rough enough to prevent slipping, but smooth enough to prevent stumbling.
 - Maintenance-free and/or low maintenance;
 - Stain-resistant;
 - Fade resistant; and
 - Non-reflective
- The following pedestrian paving materials meet these criteria:
 - Concrete: broom finished, washed finished, medium sandblasted;
 - Saw-cut concrete and tile, provided the pavers do not have joints or score lines that catch high heels, or cause tripping.
 - Decomposed granite (not suitable for use where disabled access should be provided).
 - Loose gravel (not suitable for use where disabled access should be provided, or where heavy

pedestrian traffic can be expected).

7.4.5 Irrigation

The landscape irrigation concept for the community will be designed to provide the most efficient means to distribute irrigation water and provide the community with the latest technology for community-wide water conservation. The following standards apply:

- Irrigate all permanently landscaped or required landscape areas with a permanent underground irrigation system, using purple pipes for reclaimed water, and operated by automatic irrigation controllers. Where feasible, irrigate with non-potable water.
- In areas where native or drought-tolerant plant materials are utilized, a drip irrigation system shall be installed to achieve the most efficient watering system and to utilize water in a responsible manner.
- Irrigate turf areas with low flow spray heads having a minimum six inch pop-up body.
- Use triangular spacing of spray heads in turf areas whenever feasible.
- Irrigate shrub areas with low flow spray heads. When appropriate, drip irrigation should be provided in shrub areas.
- Irrigate individual shrubs with a pressure compensation bubbler with low flow characteristics.
- Irrigate at night and early morning to reduce evaporation due to sun and

wind per Seaside's irrigation requirements.

- Apply irrigation water in short interval applications to reduce runoff to paved areas per Seaside's requirements.
- Apply drip system irrigation in medians.
- Ensure that irrigation water is not applied to walks, driveways, walls, fences and building faces. Irrigation runoff water shall not flow on to other properties or on the public right-of-way.
- Provide approved backflow prevention devices on all systems.
- Screen all irrigation equipment from public view, including back-flow devices and controller boxes.
- Install automatic valves in valve boxes and use pop-up spray heads whenever feasible.

7.4.6 Landscape Maintenance

- Maintain all landscape materials, including trees, shrubs, ground covers and vines in a healthy condition at all times.
- Remove damaged, dead, or diseased plant material promptly and replace it with plants that substantially match the original design intent in terms of size, location and variety.
- Remove overgrown, oversized, or hazardous plant materials when they cannot be pruned to a safe condition and threaten public health, safety or welfare.

- Prepare and show maintenance specifications on landscape plans describing the irrigation, pruning, weeding, fertilizer application and other pertinent maintenance criteria for all landscaped areas.

7.5 Lighting Standards

The objectives for exterior lighting are as follows:

- To contribute to the safe and efficient use of all public and private areas in the Specific Plan area.
- To increase the perception and reality of personal and property security.
- To complement and reinforce the architectural and landscape character of all public and private spaces.
- To contribute to the ease of way finding through the development.
- To meet all applicable public and environmental standards including energy conservation.
- To provide a consistent quality of lighting throughout the residential neighborhoods and commercial areas.
- To avoid adverse impacts such as excessive glare and light spill.
- To reinforce the identity of each component of the Specific Plan, including private and public space improvements.

CHAPTER 7 –Landscape and Grading Design Standards

7.5.1 Exterior Lighting

- Private and public light fixtures shall be architecturally compatible with the overall design of buildings, and used to reinforce community design and identity, except where dictated otherwise by the utility company.
- Private and public light fixtures should include features that prevent light-spillover onto adjacent properties and prevent light pollution of the night-sky. For example, all exterior floodlights, pole lights, and carriage lights shall include shielding in a manner such that all of the luminous flux falls upon either the surface of the structure to be illuminated or on the ground wholly on the property on which it is installed.
- Architectural lighting should be used for safety of pedestrians and motorists, especially within parking areas, alleys, public areas, and buildings.
- Architectural lighting should articulate and animate the particular building design, as well as provide the required functional lighting for safety and clarity of pedestrian movement.
- Building illumination and architectural lighting should be indirect, with no light source visible.
- All night lighting should have a warm, incandescent appearance, except where dictated otherwise by the utility company; “cool” light sources, such as mercury vapor and low or high-pressure sodium lights, shall not be visible from major streets and preferably should not be used. Illuminated areas shall be localized as much as possible. Light fixtures that broadcast light over large areas, or which are a source of glare, are not permitted.
- Minimize the use of fluorescent, mercury vapor, and high and low-pressure sodium lamp sources in areas where it might be visually prominent, except where otherwise dictated by the utility company.
- Private developments should include exterior lighting of pedestrian walkways. For pedestrian walkway lighting, point-to-point lighting is acceptable. The main emphasis in this area should be to clearly identify the pedestrian walkway and direction of travel. Lighting levels should be set relative to the level of security necessary and the mounting height of the luminaries.
- Lighting should be provided in all residential alleys to contribute to security and safety. Lighting should be provided by a minimum of one wall-mounted fixture per garage, or by small-scale pole-mounted luminaries.
- Consider energy conservation in nighttime lighting plans. Plans for the design and operation of lighting and illumination should be developed consistent with the latest technical and operational energy conservation concepts, such as use of solar energy.
- Exterior lighting should be maintained on a regular basis to an “as-new” standard to assure that all lighting fixtures, bulbs and elements are in good working order.

- Lighting should meet all applicable public and environmental standards.
- Outdoor lighting should be designed to minimize the impact of artificial lighting on night-time skies.
- The United States Army is in the process of transferring various parcels of the former Fort Ord military installation to the City and other entities. Some parcels within the former Fort Ord were contaminated with unexploded ordnance and explosives (UXO). As a result, special standards for digging and excavation apply to the proposed project. Essentially, no digging or excavation nor development of such properties can occur until ordnance or explosive remediation is completed. In addition, grading and soil movement cannot occur without a Soils Management Plan. The plan is to ensure that any soil from the site is stored on site or in an acceptable location. Additional grading standards are provided below.

7.6 Parking Lot Design Standards

- When parking lots are adjacent to public rights-of-way, parking areas shall be screened by combining berms, shrubs and trees.
- When selecting landscape material for parking lots, trees with deep roots shall be selected to avoid damaging the pavement.
- Buildings shall be separated from parking areas by landscaping and walkways.
- Where practical walkways and paths should be provided in parking lots to provide safe pedestrian access to buildings.
- Use of colored or textured materials is encouraged to define primary pedestrian pathways on site.
- Low Impact Development features such as bio-swales, retention ponds, and similar features shall be used, as necessary, to treat storm water.
- To the extent feasible, buildings should be clustered in a manner that minimizes the need for grading around the perimeter of development area creating the Linear Park Preserves and paseo pathways called out in the Specific Plan.
- Compact development should be established through methods such as clustering, use of more compact building types, and use of minimal building setbacks.
- Residential subdivision grading plans should create small building pads gradually terracing up and down hillsides where feasible while allowing for pedestrian friendly street grades. Street grades should generally not exceed five percent except when necessary. This produces smaller slopes that are more easily vegetated, visually less obtrusive and more

7.7 Grading Standards

The following list is standard grading requirements for the Specific Plan:

CHAPTER 7 –Landscape and Grading Design Standards

suitable for slope contour and blending.

- Hard edges left by mass-graded cut and fill operations should be given a rounded appearance that resemble the natural contours of the land.
- The angle of any graded slope should gradually transition to the slope of the natural terrain. Creation of newly graded slopes significantly steeper than existing natural slopes should be avoided.
- Manufactured slopes adjacent to driveway and roadways should be appropriately landscaped to create visually interesting and natural appearing streetscapes.

This side intentionally left blank

Implementation

8.1 Introduction

This Chapter describes the anticipated development phasing, identifies potential funding and maintenance of public facilities, and details the development review procedures applicable to the Specific Plan.

The Specific Plan serves both a planning function and a regulatory function. The Specific Plan also contains all applicable land development regulations and will thus constitute the zoning for all portions of the Specific Plan area. In addition, general administrative rules are specified to properly relate the Specific Plan to the provisions of the Seaside Zoning Ordinance.

Implementation of the proposed land uses shall be through approved Subdivision Map Act procedures and other Site Plan Review procedures.

Should future economic or development conditions make it desirable to amend this Specific Plan, the procedures described in Section 8.2.2 shall govern such amendments.

If there is a conflict between the Specific Plan and the City of Seaside Zoning Ordinance, subdivision, CIP, environmental, building, or housing

codes, the provisions of this Specific Plan shall prevail.

8.2 Phasing

It is anticipated that the Specific Plan will be developed in six general phases. **Figure 8-1** establishes the proposed phasing plan. The primary intention of the Phasing Plan is to relate infrastructure requirements to proposed development. The six general development phases and their associated planning areas are described below:

- Phase 1: Portions of Res-1, Rec-1 and PF Planning Areas
- Phase 2: Res-2 Planning Area and portions of the Res-1
- Phase 3: C-1 Planning Area
- Phase 4: C-2 and RM Planning Areas
- Phase 5: Res-3 Planning Area
- Phase 6: Rec-2 Planning Area

Each general development phase is anticipated to be broken into various smaller construction stages that will be determined based on market conditions. These smaller construction stages will be subdivided, designed and constructed

independently. This staged approach will avoid large mass-grading operations and allow for a more manageable build-out of the Specific Plan.

The first general development phase is expected to be built over three years. Each of the remaining five general development phases will be built out over approximately 2-year periods. Thus, the overall Specific Plan development timeframe is planned to be approximately 13 years. Note that the above referenced phasing program is subject to change based upon market conditions, absorption rates, infrastructure extensions, and product mix requirements.

The Horse Park located in the Rec-1 Planning Area may begin construction of a smaller number of facilities during Phase 1, with the majority of the facilities being constructed during Phase 2.

The Veterans Cemetery phasing will be completed at the discretion of the California Department of Veterans Affairs.

8.3 Development Review and Approval Process

This Specific Plan and accompanying permits, which may be approved at various times following certification of the Environmental Impact Report, provide the basic authority for development of 880 single-family residential units, 400 apartments, 656 hotel/lodging units, and 775,000 square feet of commercial/office/visitor serving uses, Veterans Cemetery (and ancillary facilities) and the Seaside Corporation Yard within the Specific Plan area upon satisfaction of the requirements set forth herein.

The entities that are responsible for implementing the various components of the Specific Plan are illustrated in **Figure 8.2** and listed below:

Project Component	Entity
Veterans Cemetery	Ca. Department of Veterans Affairs
Veterans Chapel, Vets Hall, Amphitheater, Parking	Central Coast Veterans Cemetery Foundation
Veterans Endowment Parcel	Monterey Downs, LLC
Veterans Cemetery Development Area with Restoration Opportunity	TBD
Seaside Corporation Yard	City of Seaside
Monterey Horse Park	Monterey Horse Park
Cross Country Course	Monterey Horse Park
Oak Oval Planning Area	Monterey County
All Other Lands	Monterey Downs, LLC

8.3.1 Tentative Map Review

Applications for approval of Tentative Tract Maps shall be reviewed in accordance with the Subdivision Map Act and Seaside's subdivision regulations (Title 16 of the Seaside Municipal Code).

8.3.2 Amendment Procedures

The California Government Code (Sections 65453-65454) allows specific plans to be prepared, adopted, and amended in the same manner as general plans. Amendments to this Specific Plan shall be prepared, adopted, and amended in a similar manner as it was adopted. Procedures of the Seaside Municipal Code (Municipal Code) shall be followed for hearing, notice and decision of a Specific

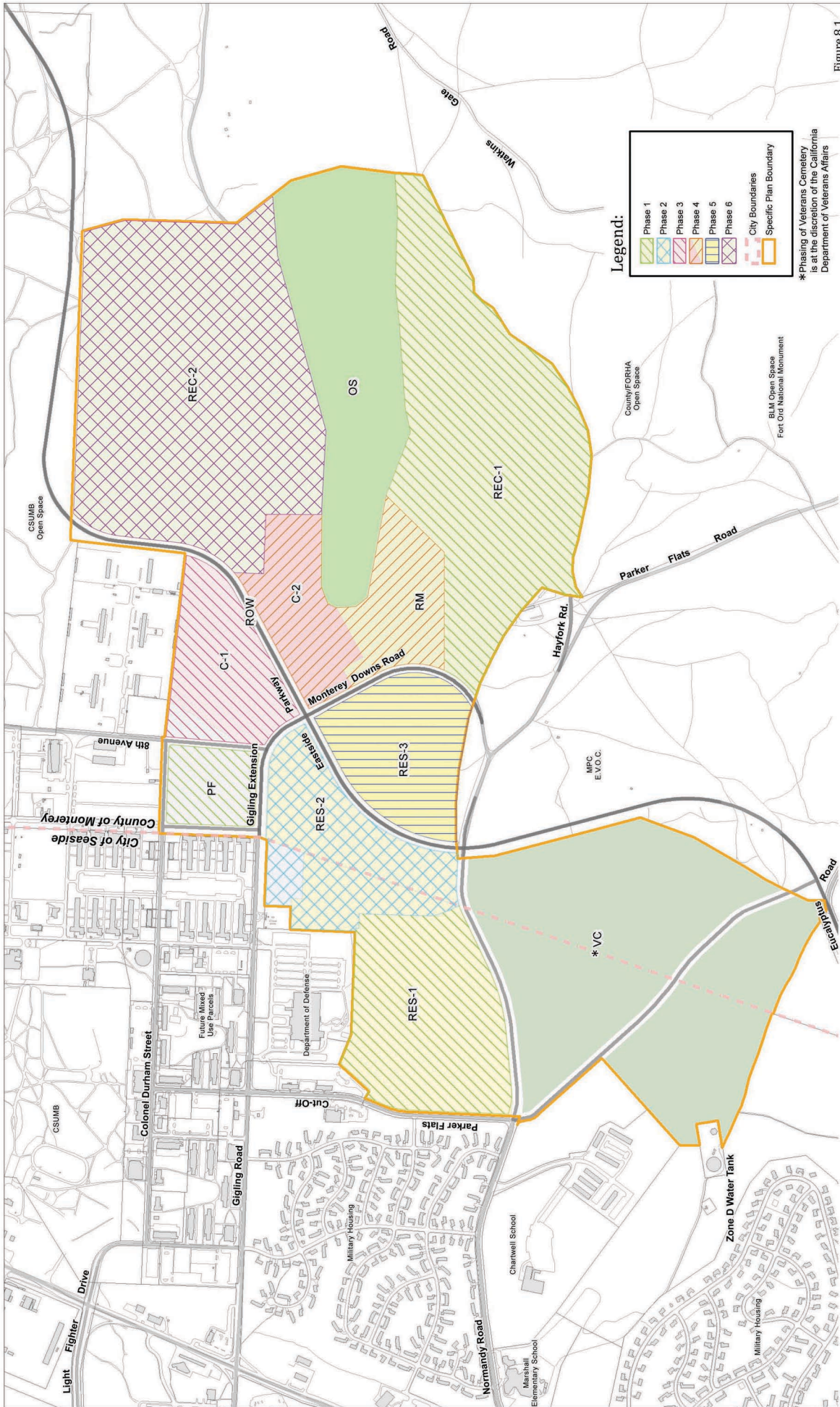
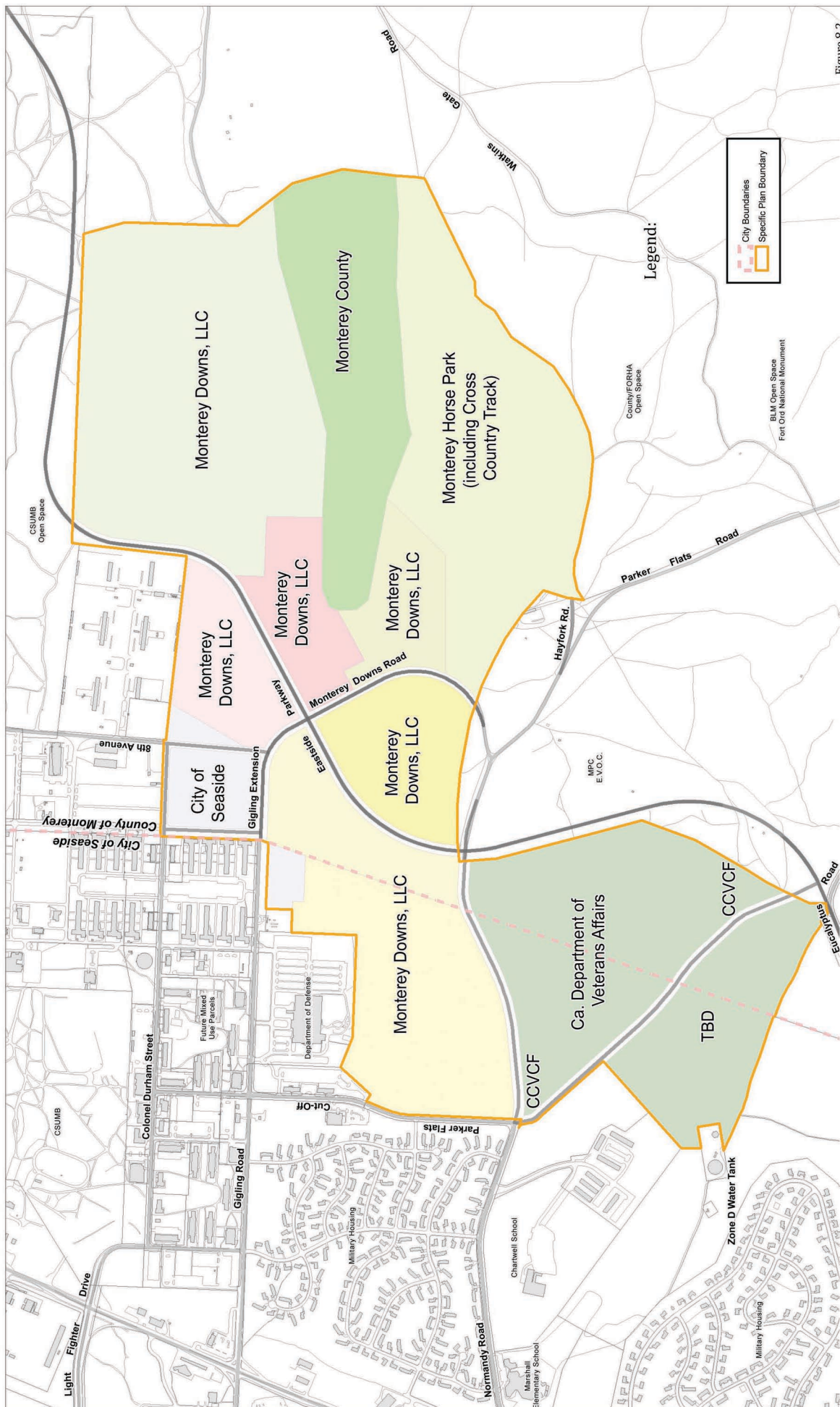


Figure 8.1

This side intentionally left blank



This side intentionally left blank

CHAPTER 8 – Implementation

Plan Amendment by the Planning Commission and City Council.

Modifications to the Specific Plan shall be considered “Minor” or “Major”, as defined below:

Minor Modifications

The following minor modifications to the Specific Plan do not require an amendment to the Specific Plan and are subject to review and approval by the Zoning Administrator. Minor Modifications shall require a public hearing in compliance with Title 17 of the Seaside Municipal Code. The Zoning Administrator shall have the discretion to refer a minor modification request to the Planning Commission. The following are minor modifications:

1. To allow a decrease not exceeding 10 percent in minimum setbacks as established in this Specific Plan, Chapter 6: Development Standards. This applies to commercial, public facility and multi-family buildings only.
2. To allow walls or fences to exceed height limits by a maximum of one foot. This applies to all buildings.
3. To allow an increase or decrease not exceeding 10 percent of total estimated gross building area. This applies to all buildings.
4. Modifications of a similar nature or intent to those listed above, which are deemed minor by the Zoning Administrator, and which are in keeping with the intent of this Specific Plan.

Interpretation

In cases of uncertainty or ambiguity as to the meaning or intent of any provision of this Specific Plan area, the Zoning

Administrator shall prepare a written interpretation which shall be generally applicable to all future situations of the same type. The interpretation shall be based upon and consistent with the intent of this Specific Plan. The written interpretation shall be transmitted to the property owners and any pending applicant for development within the Specific Plan. Any property owner or applicant may appeal the interpretation to the Planning Commission in accordance with Section 17.66 of the Municipal Code.

Major Modifications

Projects that do not qualify under the minor deviation procedure shall be considered major modifications. Major modifications require the submittal of a major modification permit application and would be considered by the Planning Commission. The following would fall under the parameters of a major modification:

1. Deviations exceeding the permitted standards for minor modifications described above.
2. Modifications to development standards that exceed the standards listed on under minor modifications and that are required by other agencies that regulate the proposed development (such as the California Racing Board, Regional Water Quality Control Board, Environmental Protection Agency (EPA), etc.).
3. To allow a decrease in required number of parking spaces (not to exceed 25%) based on the quantifiable information provided by the development team regarding shared parking or reduced demand.

This applies to commercial, public facility and multi-family buildings only

4. The request to transfer of density and/or request modifications to planning area acreages, as described in Chapter 2, Section 2.5 of this Specific Plan.

Applications for a major modification shall be subject to review and approval by the Planning Commission. A Major Modification shall be subject to the noticing and hearing procedures as set forth by Title 17 of the Seaside Municipal Code. At the time of hearing, the Planning Commission shall have final decision making authority on the proposed major modification. The Planning Commission shall approve a major modification if it makes the following findings:

1. The modification is consistent with the goals and policies of the Specific Plan.
2. The modification is not detrimental to the public health, safety, or welfare.
3. The modification does not create a nuisance or hazard.
4. The modification does not have a significant effect on adjoining properties or the immediate neighbors.
5. The modification does not alter the conclusions of the Certified Final EIR, or subsequent environmental review is conducted to adequately analyze the modifications.

In approving major modifications, the Planning Commission may impose conditions deemed necessary to protect the public's health, safety and welfare and to assure compliance with the objectives of the Specific Plan.

8.3.3 Development Review and Application Procedures

1. Applications for proposed construction of structures and site improvements require site plan and design review approval as set forth in this subsection. A Development Application, as defined by the Municipal Code, shall be submitted to the Planning Division. The Planning Division shall determine if the submitted Development Application is in substantial conformance with the land use plan, policies, guidelines, standards, and other measures as set for this Specific Plan. The Planning Division will provide the applicant with this determination in writing within 30 days.
2. Development applications shall include a Landscape and Urban Design Program (including detailed landscaping, architectural elevations, signage program and other design details); Storm Water Control Plan; Statement of Compliance with the Specific Plan, Design Guidelines, and Design Standards and other elements as required by the California Code of Regulations; Statement of Consistency with the Fort Ord Reuse Authority Development and Resources Management Plan and Master Resolution; and other items required by the Specific Plan.
3. If the Planning Division determines that the Development Application is in conformance with the provisions of the Specific Plan, then the City's Board of Architectural Review (BAR) shall review and take action on the site plan and design elements of the

CHAPTER 8 – Implementation

submittal. Review by the BAR shall follow normal noticing and meeting procedures. The BAR may approve, conditionally approve or deny the submitted Development Application. BAR shall approve the Development application upon finding the following as applicable:

- a. Inclusion of an adequate landscape and urban design program.
 - b. Conformity with applicable landscape and urban design provisions of this Specific Plan.
 - c. Conformity with the design guidelines of this Specific Plan, including, as applicable, building detail, architecture and quality of design, lighting, fences and walls, color and materials, trash enclosures, loading, delivery service, storage areas, mechanical equipment and accessory structures.
4. If the Planning Division determines that the submitted Development Application is not in conformance with the Land Use Plan, and Specific Plan, then the Development Application shall be considered incomplete and/or will represent a Major Modification to the Specific Plan, requiring staff review and potential revisions to the EIR. The applicant shall be informed in writing of the Planning Division's determination and findings, as well as re-submittal requirements. If the submittal is found not to be in conformance because it is incomplete, the applicant will be informed and provided an opportunity to resubmit a complete Development Application.

If the Development Application is non-conforming because it constitutes a major modification, the Development Application shall ultimately be referred to the Planning Commission to review and take action on the submittal. Notice and hearing for a Development Application review shall be as set forth in the Municipal Code. The Planning Commission may approve, conditionally approve, or deny the re-submitted Development Application. Notice of the findings and decision of the Planning Commission will be provided to the applicant.

5. If the Planning Commission ultimately approves the Development Application, the BAR shall consider the Planning Commission's findings for approval, and review the site plan and design elements of the submittal only. The BAR may approve, conditionally approve, or deny the portions of the Development Application upon making the findings as specified in Section 8.3.3 (3)(a-c) above.
6. Notice of the decision by the BAR shall be mailed to the applicant. The applicant may appeal the BAR's decision to the Planning Commission in conformance with the Municipal Code.
7. Development applications which require signage shall submit an application for a master sign program to be approved by the BAR. Such sign program shall be in keeping with the overall style and scape of the building or storefront. The proposed

sign program shall be reviewed on a case by case basis.

8. Development Applications for commercial equestrian facilities must develop an Equestrian Management Plan (EMP) for review and approval. The EMP should describe a commitment to proper installation and maintenance of the site design; source control and treatment control instilling BMP's that have proven to be successful. NPDES standards shall also be incorporated where appropriate. Minimum requirements can be found in Section 6.3.5 Equestrian Facilities.

The EMP shall provide the following:

- Erosion Control
 - Pasture Management
 - Site Drainage
 - Slope Stabilization
 - Horse Specific BMP's
- Water Quality / Runoff Mitigation
 - Roof Runoff
 - Facility Runoff
- General Housekeeping
 - Manure Management
 - Pest Management (IPM)
 - Wash Rack Design
 - Trash/Debris Collection
 - Hazardous Waste Disposal
 - Dust Control
 - Winterization
- Emergency/Fire Safety
 - Access
 - Emergency Preparedness

The Environmental Protection Agency (EPA) and the Regional Water Quality Control Board (RWQCB) frequently update rules and regulations related to water quality regulations and to Concentrated Animal Feeding Operations (CAFOs). Currently the EPA Regulations for CAFOs are included in a 673 page manual, which can be found on the EPA website at:

<http://cfpub.epa.gov/npdes/afo/info.cfm>

This manual is a living document and will be updated from time to time. It is the responsibility of the applicant to ensure compliance with these rules and regulations at the time of design and construction.

8.4 Summary of Infrastructure Improvement Responsibilities

Various entities are responsible for the infrastructure construction and maintenance needed to complete the Specific Plan build-out. These infrastructure facilities and the responsible entities are discussed in this section and summarized in **Table 8.1** at the end of this section.

The majority of infrastructure improvements are located within the boundaries of the Specific Plan. However, certain improvements will occur off-site, including:

- Eastside Parkway, north and south of the Specific Plan

CHAPTER 8 – Implementation

- Parker Flats Road, south of the Specific Plan
- Gigling Road, east of the Specific Plan
- Private streets, north of the Rec-2 Planning Area, connecting to Eastside Parkway
- Hayfork Road, southwest of the Specific Plan
- The cross-country course east of the Specific Plan

The City of Seaside and the Specific Plan applicant will enter into a development agreement. Regarding funding responsibilities, the applicant's share will be negotiated in the development agreement, and where applicable, may include the Corporation Yard, Fire Station, and trail and open space maintenance.

The Fort Ord Reuse Authority (FORA) has served as the lead agency and has implemented capital improvement projects since 1995 on the former Fort Ord. Many of these have been funded through grants and bonds. Some of the capital improvements are funded through the collection of development fees. The Capital Improvement Program (CIP) includes habitat management, fire fighting, water system improvements, wastewater system improvements, storm drain system, building removal and transportation infrastructure. The projects have been, and continue to be, developed in conjunction with the City of Seaside, City of Marina, the County of Monterey and Marina Coast Water District (MCWD), as well as other agencies.

In general, the FORA CIP program includes projects that benefit the regional area and support the reuse of the former

Fort Ord. Many of these projects are outside of the Specific Plan boundary. However, the two main components that are within Specific Plan boundary are the Eastside Parkway and Gigling Road. The FORA and MCWD CIP budgets include build-out of the improvements within these two major thoroughfares. This includes the street, water, wastewater, and related improvements. The Specific Plan will cover improvements in Parker Flats, Gigling Extension, and the internal tract streets.

FORA's existence as an agency is scheduled to sunset at some point in the future. When that does occur, another agency will inherit FORA's remaining infrastructure responsibilities.

8.4.1 Transportation

The two main CIP projects key to Specific Plan implementation are Eastside Parkway and Gigling Road. Eastside Parkway, project F013B, is currently scheduled to be completed by 2017-2018 with over half of the construction expense in 2016-2017. The project consists of a 2-lane arterial from Eucalyptus Road to Schoonover Drive. Gigling Road, Project F07, is also scheduled to be completed by 2018-2019 with a distribution of expenditures between 2016-2017 and 2018-2019. This project will upgrade Gigling Road to 4-lanes and it will connect directly to Eastside Parkway.

For any of these projects FORA's responsibility does not include just the roadway itself. Per the "In-Tract versus Base Wide Design and Construction Responsibilities Final Report", FORA's responsibilities include "sound abatements, landscaping, replanting of

trees, installation of medians, parkways, ground cover and water service". This report further describes FORA's responsibility to install the irrigation systems and earth mounding in the medians and street lighting.

As Parker Flats Road is located between Monterey Downs the Veterans Cemetery, whichever project proceeds first will most likely complete roadway construction or each entity will complete half-street improvements. A cost-sharing agreement between the entities may also take place. The construction of all in-tract roads and related improvements will be the responsibility of the Monterey Downs master developer. The precise method by which transportation infrastructure improvements are financed and extended to and throughout the Specific Plan project area along with the timing of those improvements will be determined as part of each formal development project submitted to Seaside.

8.4.2 Water and Wastewater

FORA approved MCWD as the purveyor for water and wastewater on the former Fort Ord in 1997. Per that agreement, MCWD administers the water and wastewater CIP. Through this agreement, MCWD's CIP program includes projects that benefit the region and are necessary for the Specific Plan. For oversight, FORA and MCWD have a Joint Administrative Water and Wastewater Oversight Committee that meets to review water and wastewater administration and CIP. The water and wastewater master plans completed in 2005 identified several system deficiencies that are in the surrounding areas. Some of the projects designed to

reduce deficiencies have already been completed, while some are scheduled to be completed by 2020 or possibly later. The major water and wastewater infrastructure expansion projects within the Specific Plan boundary coincide with the planned major roadway work. For example, the Eastside Parkway D-Zone pipeline project, OW-0211, is scheduled for completion by 2015.

Additional water and wastewater improvements are scheduled to be completed by 2014, which will clarify the extent of remaining water and sewer infrastructure improvements required to serve the Specific Plan area. The precise method by which water and wastewater service is financed and extended to and throughout the Specific Plan area along with the timing of those improvements will be determined as part of each formal development project submitted to Seaside.

8.4.3 Existing Water Tank Site

The Specific Plan has allocated a portion of its Public Facilities Planning Area for water tank improvements. The water tank already exists as part of MCWDs facilities. However, the property has not been properly conveyed. Ultimately, the property is planned to be dedicated to MCWD. The precise method by which water tank improvements are financed along with the timing of those improvements will be determined as part of each formal development project submitted to Seaside.

8.4.4 Electrical Service

PG&E is the electrical service provider. Typically, there are two methods that can fund the expansion of electric facilities. The developer can fund 50% of the costs

CHAPTER 8 – Implementation

prior to development or the developer can fund 100% of the costs but then get reimbursed over 10 years depending on how many meters are installed. The precise method by which electrical service is financed and extended to and throughout the Specific Plan area will be determined as part of each formal development project submitted to Seaside.

8.4.5 Gas Service

PG&E is the gas service provider. Typically, there are two methods that can fund the expansion of natural gas facilities. The developer can fund 50% of the costs prior to development or the developer can fund 100% of the costs but then get reimbursed over 10 years. The precise method by which natural gas service is financed and extended to and throughout the Specific Plan area will be determined as part of each formal development project submitted to Seaside.

8.4.6 Phone Service

AT&T is the phone service provider. AT&T may pay for off-site extensions to the site. This may also include the backbone lines in Eastside Parkway. It is likely that each developer within the Specific Plan area would then fund infrastructure improvements within the various tracts. The precise method by which phone service is financed and extended to and throughout the Specific Plan area will be determined as part of each formal development project submitted to Seaside.

8.4.7 Data/Cable Service

Comcast is the cable provider. If there are enough customers, Comcast will pay

for the off-site infrastructure costs. This would include a main backbone line in Eastside Parkway. Each developer within the Specific Plan boundary would then be responsible for connecting to and extending data/cable service from the Eastside Parkway line to each proposed collection of uses. The precise method by which data/cable service is financed and extended to and throughout the Specific Plan project area will be determined as part of each formal development project submitted to Seaside.

8.4.8 Public Facilities

The Specific Plan allocates approximately 2.8 acres to the Seaside Fire Department for the construction of a fire station. Only the land will be provided. Although the timing of the land dedication and the precise method by which the land will be transferred has not been finalized, it is assumed that land dedication will occur upon recordation of the Final Map.

The Specific Plan also provides approximately 17 acres for the City of Seaside to construct a new Public Works Corporate Yard. It is anticipated that this land will be transferred directly to Seaside.

8.4.9 Trails

Trails and trail heads located within the boundaries of the Specific Plan shall be constructed by the developer and maintained by the City and/or an owners association or other entity qualified to maintain the trails. Upon completion of trail/trailhead construction, an owners association will be formed for the purposes of maintaining the trails and/or trail heads not maintained by the City. The Monterey Horse Park will be responsible for certain trails located

within the Rec-1 Planning Area, including the cross-country course, which may extend into the OS Planning Area and adjacent FORHA open space.

8.4.10 Parks

Neighborhood parks located within the boundaries of the Specific plan shall be private parks constructed by the developer and maintained by an owners association. Upon completion of park construction, an owners association shall be formed for the purposes of maintaining the parks.

8.5 Infrastructure Financing Mechanisms

8.5.1 FORA Community Facilities Districts

FORA created a CFD for the purpose of collecting fees from developers and in turn constructing improvements. Per resolution 11-02, the fees are intended to pay for basewide obligations to mitigate the costs associated with the impact of development in the former Fort Ord territory. These obligations are identified in the Base Reuse Plan (BRP) and the annual CIP. The CFD was originally established in 2002.

FORA's CIP, which contains funding for additional backbone infrastructure is financed in part by a Community Facilities District which encumbers all the privately developable area of the BRP, together with all other privately developable areas of the former Fort Ord covered by the BRP. The CFD requires the payment to FORA of development impact fees based on a formulaic approach amended by FORA in August

2012. The rates of these impact fees may be changed over time. Such fees are payable at the time building permits for building construction are issued by Seaside.

8.5.2 Other Financing Mechanisms

California State guidelines require that a plan for the financing of public improvements be devised and included with every Specific Plan. In conformance with these requirements, preliminary financing mechanisms and the parties responsible for financing and/or constructing public services or facilities have been identified.

Besides traditional development capital and finance, the developer may participate in one or more public financing programs as established by State law, County ordinances, and/or conditions of approval. These public financing programs include but are not limited to the following:

8.5.3 Special Assessment District

Special assessment districts, pursuant to the Municipal Improvement Act of 1913 and the Improvement Bond Act of 1915, as well as facility benefits assessments, provide a method of leveraged financing whereby a public entity determines an area in which the provision of facilities will benefit real property. This land secured financing can be used for public improvements that directly benefit those properties which are assessed to pay for the improvements at no risk to public agencies' general funds. A lien, based upon a benefit formula derived by an assessment engineer is established against property within a defined area. Municipal bonds, which are paid off over a period of time in installments

CHAPTER 8 – Implementation

(assessments), are secured by liens against the benefiting property, collected with the underlying property tax. Existing structures or dwellings may be exempted. Formation of a Special Assessment Districts may be initiated by landowners or the local agency and require a public hearing and adoption of a resolution.

8.5.4 Mello-Roos Community Financing District

Mello-Roos Community Financing Districts (CFDs) are similar to assessment districts, but provide a more flexible tool for governmental entities to finance a wider range of public infrastructure, through the issuance of tax-exempt bonds. The facilities which may be financed by a Mello-Roos District shall be real or tangible personal property, with an expected life of over five years, to be owned or operated by a public entity at no risk to public agencies' general funds. Under this method of financing the project area can also be divided into two or more improvement areas. It is possible that only a portion of the Specific Plan area will initially be included in the Mello-Roos district, and that other parts of the Specific Plan area will be annexed into the CFD as development of such areas occur, or that more than one Mello-Roos District will be established.

Within each CFD, a special tax and issuance of bonds would be authorized. The special tax would be levied annually to pay for the cost of public services; to pay principal and interest "on bonds issued to finance public improvements; and to pay for incidental and administrative expenses in connection with the foregoing.

The public services and improvements which may be addressed by a CFD are all those allowed by law, including but not limited to the following: police, fire protection; maintenance of parks, parkways/streetscapes, and storm drains together with incidental and administrative expenses; construction and acquisition of improvements for schools, landscaping, streets, sidewalks, curbs, gutters; street signs and traffic signals; street lights; reclaimed water, water and sewer; storm drains; retaining walls and slope protection; acquisition of easements, rights-of-way and fee title to land; regional transportation improvements; and incidental and administrative expenses. Formation of a Mello-Roos District may be initiated by landowners, registered voters or the local agency and require public hearing, adoption of a resolution and an election vote.

8.5.5 Integrated Financing District

The Integrated Financing District (IFD) Act provide unique features with respect to landowners subject to reimbursement, by pledging the receipts of contingent assessments (when due) to reimburse other providers of public improvements for work they have performed or financed. IFDs do not represent a new method of financing facilities so much as a method to more directly tie the financing of facilities using assessment or community facilities to the receipt of approvals to build.

In order to implement an IFD, there must be cooperation between affected landowners with respect to the terms and circumstances under which they would pay contingent assessments. IFDs are

subject to the same lien to value ratio requirements as assessment district and Mello-Roos Districts. The authorization for the formation of IFDs is a function of the financing act used. Proceedings to create an integrated financing district are instituted by the local agency through public hearings and adopting a resolution of intention to create the integrated financing district.

8.5.6 Community Services District (CSD)

A CSD may be used to pay for a wide variety of facilities and services including but not limited to: water supply, sewage treatment, storm water disposal, garbage disposal, fire protection, recreation, street lighting, police protection, library, street maintenance and various other services. In most cases, the CSD would contract with an existing local agency or private firm for actual services. A CSD is empowered to levy ad valorem property taxes, general taxes, special taxes, special assessments, and can also issue bonds. Because of the broad scope of services and financing methods available to it, the CSD is often looked upon as a sort of mini-government in its own right.

CSD formation proceedings are initiated by filing a petition, signed by 10% of more of the proposed district's registered voters, with the Monterey County LAFCO. After a public hearing, the LAFCO will approve, modify, or deny the proposal. If approved, the LAFCO will direct the City Council to hold a hearing on the proposal.

8.6 Impact Fees

Development impact fees are one-time charges imposed on new construction projects by a local government to pay for public facilities and infrastructure needed to support new development.

Impact fee programs are designed to provide for the construction of new or enlarged facilities to serve new development to ensure that new development pays for its impacts on public facilities and to enable agencies to maintain their established service levels despite increased demand.

Impact fees are not taxes and do not require a vote of the electorate. The most common impact fees are for park acquisition, storm drainage, police, fire and emergency facilities, libraries, school facilities, street improvements, and expansion of sewer and water treatment plants. Impact fees cannot be used to pay for operational expenses or to correct an existing deficiency or shortfall under the established level of service. Impact fees do not include (i.e. are separate from and in addition to): (1) connection fees for installing water and sewer lines to new development, (2) permit fees for processing development plan approvals and for building permits, or (3) application processing fees for reviewing and hearing development proposals.

California law authorizes local governments to assess, collect, and spend development impact fees for a prescribed set of public facilities and infrastructure improvements. Under the Mitigation Fee Act, which became effective on January 1, 1989, cities and counties can impose impact fees to pay

CHAPTER 8 – Implementation

for public facilities and infrastructure improvements associated with new development if they:

1. Identify the purpose of the fee;
2. Identify the uses of the fee, including identifying the public facilities and infrastructure improvements to be financed;
3. Show a reasonable relationship (nexus) between the fee's use and the type of development project;
4. Show a reasonable relationship between the public facility to be constructed and the type of development;
5. Show a relationship between the amount of the fee and the cost of the facility; and
6. Account for the fees collected and spend the money within a reasonable timeframe and only for the purposes and projects specifically identified in calculating the fee.

The Mitigation Fee Act permits a broad range of public facilities to be financed through development impact fees including schools; water storage; distribution and treatment; sewage treatment and disposal; storm drainage; street improvements; parks and recreation; public libraries; police facilities; and fire facilities.

While impact fees cannot practicably be leveraged (provide security for bonds), they can be used in conjunction with debt financing to help retire bonds secured by other means, such as a CFD. That is,

impact fees can generate supplemental revenues to reduce future special taxes. Impact fees can also be used to generate reimbursement revenues to developers, property owners, or public agencies that have previously paid more than their fair share of public improvement costs for oversized facilities which serve more than a single development.

This side intentionally left blank

CHAPTER 8 – Implementation

Table 8.1 Implementation Matrix

Infrastructure	Construction Responsibility	Construction Funding	Maintenance Responsibility	Maintenance Funding
Transportation				
Eastside Parkway	FCFD	FCFD	CS	CS
Gigling Road	FCFD	FCFD	CS	CS
Monterey Downs Road	MD	MD	CS	CS
Parker Flats Road	MD/CCVC	MD/CCVC	CS	CS
Parker Flats Cutoff	CCVC	CCVC	CS	CS
8 th Street	MD/CS	MD/CS	CS	CS
Hayfork Road (Private)	MHP	MHP	MHP	MHP
Internal Private Streets	MD	MD	MD	MD
Water (incl. reclaimed)				
Eastside Parkway	MCWD	MCWD	MCWD	User Fees
Gigling Road	MCWD	MCWD	MCWD	User Fees
Monterey Downs Road	MD	MD	MCWD	User Fees
Parker Flats Road	MD/CCVC	MD/CCVC	MCWD	User Fees
Internal Private Streets	MD	MD	MCWD	User Fees
Offsite	MCWD	MCWD	MCWD	User Fees
Reclaimed Water Reservoir	MCWD	MCWD	MCWD	MCWD
Wastewater				
Eastside Parkway	MCWD	MCWD	MCWD	User Fees
Gigling Road	MCWD	MCWD	MCWD	User Fees
Monterey Downs Road	MD	MD	MCWD	User Fees
Parker Flats Road	MD/CCVC	MD/CCVC	MCWD	User Fees
Internal Private Streets	MD	MD	MCWD	User Fees

Monterey Downs and Monterey Horse Park and C.C.V.C. Specific Plan

Infrastructure	Construction Responsibility	Construction Funding	Maintenance Responsibility	Maintenance Funding
Offsite	MCWD	MCWD	MCWD	User Fees
Sewer Lift Station	MD	MD	MCWD	User Fees
Dry Utilities				
Gas	PG&E	MD	PG&E	User Fees
Electric	PG&E	MD	PG&E	User Fees
Phone	AT&T	AT&T/MD	AT&T	User Fees
Data/Cable	Comcast	Comcast/MD	Comcast	User Fees
Drainage				
Retention Basins	MD/CCVC/MHP/CS	MD/CCVC/MHP/CS	OA	OA
Storm Drain Lines	MD/CCVC/MHP/CS	MD/CCVC/MHP/CS	OA	OA
Public Facilities				
Fire Station	CS	CS	CS	CS
Corporation Yard	CS	CS	CS	CS
Public Park	MD	MD	CS	CS
Private Neighborhood Parks	MD	MD	OA	OA
Open Space				
Trails/Multi-Use Pathways/Trailheads	MD/MHP	MD/MHP	MD/CS	MD/CS/MC
Open Space Areas	MD/MHP	MD/MHP	MD/CS	MD/CS/MC

Table Legend

MD – Monterey Downs (Where appropriate, the developer may use funding mechanisms discussed in sections 8.5.2-8.5.6, including Special Assessment Districts, CFDs, IFDs, and CSDs)

MHP – Monterey Horse Park

CS – City of Seaside

CM – County of Monterey

FCFD – FORA Community Facilities District

MC – Monterey County

MCWD – Marina Coast Water District – With funding from FCFD

CCVC – Central Coast Veterans Cemetery

OA – Ownership Association

STAFF AND BAR RECOMMENDED MODIFICATIONS TO THE DRAFT SPECIFIC PLAN (SUMMARY)

Staff recommends the following changes, clarifications, and corrections to the draft specific plan. Text in double underline has been added since the September 29, 2016 City Council Study Session.

1. Specific Plan name shall be “Seaside Horse Park, Mixed-Use Community and Central Coast Veterans Cemetery Specific Plan.” (Modification)
2. Chapter 1, Section 1.2, Specific Plan Policies and Implementation, Page 1-2, Policy EC-2, 4th bullet. Revise as follows “Equestrian facilities in Planning Area-2REC-1 will provide for world-class equestrian events.” (typo)
3. Chapter 2, Figure 2-2, Land Use Map. Use a different color for the RES-2 Planning Area to clearly differentiate between the RES-1 and RES-2 areas. (Clarification)
4. Chapter 2, Table 2.2, Permitted Uses. Eliminate horse racing as an allowed use within the Specific Plan and modify language throughout the Specific Plan where horse racing is referenced (modification).
5. Chapter 2, page 2-9, Recreation 2 (Rec-2), 2nd paragraph shall be deleted, Portions of the racetrack’s in-field area are also envisioned as a landscape amenity, which includes an above-ground recycled water storage basin to meet a portion of the project-related and regional irrigation needs. The reclaimed water storage facility is to be constructed, owned and maintained by Marina Coast Water District (MCWD). If MCWD chooses not to pursue this regional facility, the area will be used for athletic fields (emphasis added). Please refer to Chapter 4, Section 4.2 for a more detailed discussion of recycled water storage capacity and replaced with the following: The training track in-field shall be designed to accommodate athletic fields for community youth organizations, with use permitted by such organizations in coordination with bi-annual seasonal planning. (Modification)
6. Chapter 3, Page 3-15, 3.4.6, Neighborhood Streets. The Specific Plan includes a 34 foot curb-to-curb design for neighborhood streets, with two 17-foot travel lanes with shared parking on both sides. The neighborhood street design shall be revised to a maximum curb-to-curb width of 28 feet, with not greater than 12 foot travel lanes, with parking on both sides. (Modification)
7. Chapter 3, Page 3-16, 3.4.7, Neighborhood Lanes. The Specific Plan includes a 34 foot curb-to-curb design for neighborhood lanes, with two 17-foot travel lanes with shared parking on both sides. The neighborhood lane design shall be revised to a maximum curb-to-curb width of 24 feet, with not greater than 12 foot travel lanes, and parking on one side only. (Modification)

8. Chapter 3, Page 3-22, Add the following language, “Final development plans shall include a trail from 8th and Gigling to the trails connecting to the Fort Ord Habitat Recreational Area lands, which connect to the Fort Ord National Monument, with a minimum of two acres of land provided for a Fort Ord National Monument Interpretive Center at a location of mutual agreement.” (Addition)
9. Chapter 5, Pages 5-23 and 5-24, Table 5.2, Change “Cluster” to “Courtyard”. (Consistency)
10. Chapter 6, Page 6-6, Table 6.1 title. Add “Res-3”. (typo)
11. Chapter 6, Development Standards. Add a standard that encourages the use of universal design principles to facilitate the development of housing to accommodate residents of all abilities (Consistency with General Plan Policy H-2.9). (Addition)
12. Chapter 7, Landscape and Grading Design Standards. Add a landscape design principal that encourages civic art into both public and private development projects (Consistency with General Plan Policy UD-4.1). (Addition)
13. Chapter 7, Landscape and Grading Design Standards. Add section 7.4.7, Civic Art and include a standard that encourages providing civic art into both public and private development projects (Consistency with General Plan Policy UD-4.1). (Addition)
14. Chapter 8, Section 8.3.1, Tentative Map Review. The following shall be added after the 1st paragraph. “The process for identification of wooded areas and individual trees for development pursuant to the Specific Plan is as follows:
 - a. Tentative Maps shall identify the location of all wooded areas; and
 - b. Final Maps shall identify the locations, sizes, and types of existing trees that have circumference greater than 19 inches, and clearly identify which trees are proposed to be removed. Trees with a circumference greater than 19 inches shall be replaced at a 1:1.1 ratio.” (Clarification/Addition)
15. Chapter 8, Page 8-1, Section 8.1 Introduction, 4th paragraph. Change Section 8.2.2 to Section 8.3.2. (typo)
16. Chapter 8, Page 8-8, Section 8.3.3. Add the following language as a second paragraph, “Prior to processing of any Development Application, the subdivider shall establish a home owners association, community facilities district, community revitalization and investment authority, or similar funding mechanism to insure on-going maintenance of all landscape features, trails, passive and active open space and related facilities.” (Addition)
17. Chapter 8, Page 8-19, Table 8.1, Implementation Matrix. Add “including landscaping and lighting” to “Internal Private Streets”. (Addition)

The Board of Architectural Review recommends the following changes, clarifications, and corrections to the draft specific plan:

18. On Table 6.1 of the Development Standards, modify the side setback standard for the construction of detached single family dwellings on lots less than 3,750 square feet to increase the minimum side setback from 3.5 feet to 4 feet.
19. On Table 6.1 of the Development Standards, modify the minimum building separation between buildings to increase the minimum separation from 7 feet to 8 feet and 10 feet on alternating lots.
- ~~20. On Table 6.1 of the Development Standards, insert language to provide for enhanced design consideration for the placement of windows between side yards on parcels of less than 3,750 square feet on the first story to maintain privacy.~~
15. On Table 6.1 of the Development Standards, insert the following language, “To ensure privacy is maintained between adjoining two-story dwellings on lots less than 3,750 square feet, off-set the second story windows to avoid having second story windows directly face each other.”
16. On Table 6.1, Development Standards, SFD Courtyard Residential Building Height should not exceed two stories when located adjacent to a detached single family neighborhood.
17. Section 8.3.3.2, Development Review and Application Procedures, include requirements for the submittal of cross-sections as a design detail to provide perspective of the street contours and grading patterns between adjoining blocks.
18. Section 6.3.1, Development Standards, All Developments, include a new bullet stating, “Opportunities for the placement of solar energy products and installation of wind protection barriers should be considered in the Urban Design process for each development Phase.”

1.2 Specific Plan Policies and Implementation

1.2.1 Economic Policies and Implementation

EC-1. Provide a robust job base within office, hospitality, retail and recreation sectors.

- o There is over 800,000 square feet of commercial, office and recreational space proposed which will offer a variety of jobs and business opportunities. According to the Monterey Downs Fiscal and Economic Impact Analysis, the Monterey Downs portion of the Specific Plan will produce (at build-out) 2,758 jobs.

EC-2. Strong tourism and recreational opportunities by providing venues for a number of visitor serving uses.

- o Planning Area C-2, "Country Walk" includes 330,000 square feet of shopping, entertainment, and hotel uses.
- o Planning Area C-1 provides for tennis and swim facilities and a hotel.
- o The equestrian facilities and sports arena located in Planning Area Rec-1 and Rec-2 will provide venues for equestrian events, festivals, pro and semi-pro sports, fairs and a variety of local and regional shows and events.
- o Equestrian facilities in Planning Area-2 REC-1 will provide for world-class equestrian events.

- o Two staging areas within the C-2 and Rec-1 Planning Area, along with a vast internal trails network, will provide ideal amenities for hikers, bikers and equestrians visiting the Fort Ord National Monument and surrounding open space and trail system.

EC-3. Annual tax revenues to help expand government services in the region.

- o The Specific Plan has been carefully designed to incorporate a variety of uses that generate a healthy tax base. According to the Monterey Downs Fiscal and Economic Impact Analysis, the Specific Plan, at build-out, will generate a fiscal surplus to the City of Seaside of more than \$1 million annually.

EC-4. A variety of housing types.

- o 1,280 total residential units including apartments, courtyard homes and a range of single family homes are included in the Specific Plan.
- o 256 qualified worker lodging units are provided that will cater to workers and their families, particularly for those working at the Training Track located within the Rec-2 Planning Area.

1.2.2 Educational Policies

ED-1. Assist local colleges in developing new educational opportunities in the animal sciences fields.

- o The Monterey Horse Park (Planning Area Rec-1) will be

1.3.2 Site History

The Specific Plan area was used historically by the Army for troop training.

The Parker Flats Munitions Response Area (MRA) (which includes the majority of the Specific Plan site) is approximately 758 acres in size and located in the central part of the former Fort Ord. As discussed in the FORA ESCA Remediation Program Volume 1-Work Plan (December 17, 2008), the portion of the Parker Flats MRA that lies south of Gigling Road, was purchased by the government in 1917, while the portion to the north of Gigling Road was privately held agricultural land until the 1940s.

The Parker Flats MRA is composed of portions or all of 13 Munitions Response Sites, many of which were used for munitions training (e.g., artillery training, practice mortar ranges) and a variety of military training purposes.

1.3.3 Site Remediation

Due to the previous uses, remediation (cleanup) of the land was required. The Fort Ord Reuse Authority (FORA) is responsible for the cleanup of the subject properties through an Environmental Services Cooperative Agreement (ESCA) with the Army. Some of the property along the southern and northwestern portions of the project site has been remediated. In addition, site remediation for all property in Seaside and the middle portions of the property in the County are currently underway. The approximate time frame for the completion of remaining site remediation and the associated approval process to allow transfer of the property is 2015.

The Specific Plan, consistent with the remediation process, is proposing residential and non-residential

development in those areas already identified as such in the ESCA remediation program (**see Figure 1.3**). In addition, the ESCA remediation program has a Mixed Use clean up designation. The project is proposing both vertical and horizontal mixed-use development within this Mixed Use category. This mixture of uses will create a lively town center, as envisioned in the BRP.

1.4 Project Description

The Specific Plan includes the coordinated development of a mixed-use master plan village on approximately 711 acres of land within the area.

The proposed project envisions an equestrian training facility with a track for training ~~and potentially racing~~; a grandstand and sports arena and entertainment center; mixed-use neighborhood serving commercial; a diverse mix of residential neighborhoods; a horse park comprised of a visitors center and office space, veterinary clinic, and horse stables; natural habitat preservation areas; staging areas, trails and trail access; open space and parks; qualified worker lodging; an aquatic center with a tennis and swim club; and hotel and office uses.

The Specific Plan also includes the expansion of public services in the area by including approximately 17 acres of land for the Seaside Public Works Corporate Yard and 3 acres for a new Fire Station Site. These properties are located at the intersection of Gigling Road and 8th Avenue.

CHAPTER 2 – Land Use Plan

proposed in order to provide a full spectrum of housing opportunities.

Neighborhood parks are also located within walking distance of the individual neighborhoods to further enhance the community's recreational experience. The parks and recreation areas vary in size and function, and thus provide a range of amenities, including children's play areas, active and passive turf areas, gathering places, and pedestrian and bicycle pathways. The pedestrian pathways and corridors are designed to create opportunities for active and safe recreation while at the same time interconnecting the proposed residential neighborhoods with the neighborhood commercial services.

The CCVC is proposed in the southwest portion of the Specific Plan area. The facility is intended to create a monument to the service and sacrifice of our veterans. In addition to burial sites, ceremonial facilities, and other ancillary facilities, the landscape design for the facility incorporates a commitment to sustainability through the integration of drought tolerant native landscaping and incorporation of native oak woodlands and coastal sage scrub.

Finally, to enhance public services in the vicinity, the Specific Plan proposes to include land in the northwest portion of the project area to facilitate the development of a new Seaside Fire Station and the Seaside Public Works Corporation Yard. Land is also set aside for the Marina Coast Water District (MCWD) Zone "C" water tank.

Each Planning Area and their representative characteristics are described in more detail below.

Recreation 2 (Rec-2)

The Recreation 2 Planning Area is envisioned as the Equestrian Training Track and Sports Arena. This 138.7-acre facility will contain approximately 225,000 square feet of visitor serving uses, with an arena and world-class thoroughbred training facility ~~with potential racing meets~~. The facilities include a 1500 seat grandstand with additional standing room, barns for up to 1500 horses, parking and other ancillary uses.

~~Portions of the race training track's in-field area are also envisioned as a landscape amenity, which includes an above-ground recycled water storage basin to meet a portion of the project-related and regional irrigation needs. The reclaimed water storage facility is to be constructed, owned and maintained by Marina Coast Water District (MCWD). If MCWD chooses not to pursue this regional facility, the area will be used for athletic fields. Please refer to Chapter 4, Section 4.2 for a more detailed discussion of recycled water storage capacity.~~

The training track in-field shall be designed to accommodate athletic fields for community youth organizations, with use permitted by such organizations in coordination with bi-annual seasonal planning.

In addition, the Planning Area includes a 6,500 seat indoor Sports Arena that will be an ideal venue for a wide variety of special events. Some examples include trade shows, car shows, dog shows, pro and semi-pro sports, veteran's events, and graduation ceremonies.

CHAPTER 2 – Land Use Plan

equestrian pathways that will link the Eastside Parkway and the Country Walk town center to the FORHA open space trail system. In addition, expanded “greenways” are proposed within the Linear Park Preserve Overlay located along Parker Flats Road and the Eastside Parkway. Totalling approximately 18 acres, these greenways will provide additional off-street pedestrian, equestrian and bicycle connections along with natural transitions between the developed and rural areas of the Specific Plan.

Trails

Approximately 4 miles of hiking, biking and equestrian trails are located throughout the Specific Plan that connects the various Planning Areas. These trails also create and maintain connections to the vast adjacent FORHA and BLM trails system.

In addition, two staging areas are provided in the C-2 and Rec-1 Planning Areas. The staging area within the C-2 Planning Area is located adjacent to OS Planning Area and encompasses approximately 1 acre. This area will be located in the southern portion of Country Walk and will include a bike center, dog barn, horse tie up, barn/livery, and restrooms.

In addition, a staging area will be located at the south east corner of the project boundary within the Rec-1 Planning Area. This staging area will include horse stables, RV camping, restrooms and parking. Trail access will be provided to the adjacent FORHA lands and the National Monument.

Recreation

The Rec-1 and Rec-2 Planning Areas encompass approximately 250 acres of land and provide numerous recreational opportunities.

The Rec-1 Planning Area includes the Monterey Horse Park which will provide various equestrian uses as detailed in the Rec-1 section earlier in this chapter. The facility will be open to various educational groups as well as youth organizations.

Monterey Horse Park will also be adaptable to a variety of shows and community events such as dog shows, agility trials and hunting dog trials.

The Rec-2 Planning Area includes the Equestrian Training Track and Sports Arena. These facilities will contain approximately 225,000 square feet of visitor serving uses, with an arena and world-class thoroughbred training facility ~~with potential racing meets~~. The Sports Arena will be an ideal venue for a wide variety of special events. Some examples include trade shows, car shows, dog shows, pro and semi-pro sports, veteran's events, and graduation ceremonies.

Finally, a tennis and swim recreation center is located in the C-1 Planning Area that will encompass approximately six acres and provide much needed facilities for local residents.

Table 2.2
Permitted Uses

Land Use Category	RM	RES-3	RES-2	RES-1	C-2	C-1	REC-2	REC-1	OS	VC	PF	ROW
RECREATION, EDUCATION, AND PUBLIC ASSEMBLY												
<u>Equestrian Facility</u> - as described in Section 2.2.2 under Recreation 1 Planning Area and includes events and activities such as competitions, horse riding, horse training, horse racing, grandstands , horse showing, dressage, stadium jumping, cross country jumping, carriage competitions, and any and all other typical equine facilities and events.	---	---	---	---	UP	---	UP	UP	---	---	---	---
<u>Equestrian Facility - Ancillary Uses</u> includes uses typically ancillary to equestrian facilities including but not limited to tack rooms, offices, barns and stables.	---	---	---	---	UP	---	UP	UP	---	---	---	---
<u>Equestrian Outdoor Training/Racing Track</u> - as described in Section 2.2.2 under Recreation 2 and includes, but is not limited to, rack tracks, grandstands, wagering, simulcast facilities , barns, stables, food-service, and other uses and structures typical to this type of commercial horse track facility.	---	---	---	---	---	---	UP	UP	---	---	---	---
Sports Arena with Indoor Seating	---	---	---	---	---	---	P	UP	---	---	---	---
Outdoor Seating Areas (including <u>excluding</u> grandstands)	---	---	---	---	P	P	P	P	---	P	---	---
Meeting Facility, public or private greater than 10,000 sqft	---	---	---	---	UP	UP	MUP	UP	---	UP	---	---
Meeting Facility, public or private less 10,000 sqft	MUP	MUP	MUP	MUP	P	P	P	P	---	P	P	---
Park, Playground	P	P	P	P	P	P	P	P	---	P	---	---
Private or Public Recreation Facility (including Tennis and Swim Center)	UP	UP	UP	UP	P	P	P	P	---	P	---	---
Schools, Public	P	P	P	P	P	P	P	P	---	P	P	---
Schools, Private	---	---	---	---	UP	UP	UP	UP	---	UP	UP	---

CHAPTER 3 – Circulation Plan

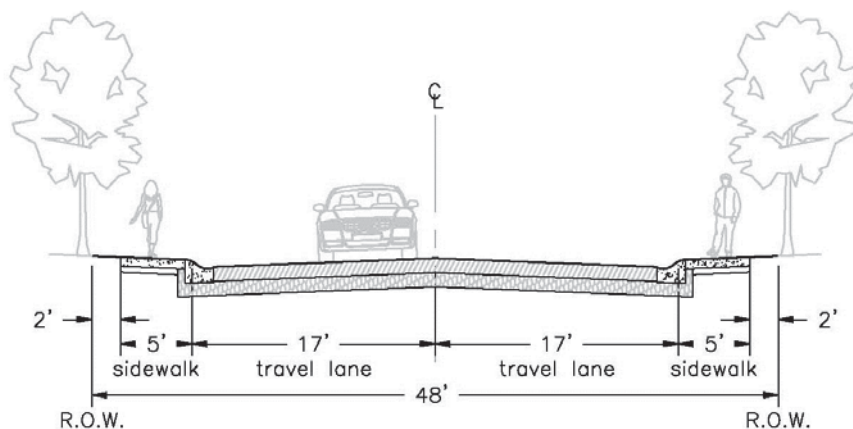
3.4.6 Neighborhood Streets

Description:

Each neighborhood street will be designed to be a small-scale, moderate-speed private roadway providing access to residential neighborhoods and parks. The streets will primarily be located around the perimeter of the single-family neighborhoods (Res-1, Res-2, and Res-3 Planning Areas) and between single-family and the multi-family dwellings (RM Planning Area). These streets will be strategically located to provide green connections between parks and open spaces.

Street section below shall be redesigned for a maximum curb-to-curb width of 28 feet with parking on both sides, or a maximum curb-to-curb width of 24 feet with parking on one side only.

Movement	Free
Design Speed	25 mph
Travel Lanes	Two way, two lanes
Parking	Parallel on both sides
ROW Width	48 feet
Curb Type	Rolled
Sidewalk Width	5 feet
Bicycle Lane	Class III
Landscape	Continuous planting with street trees, grasses, and other native ground covers (low water use).



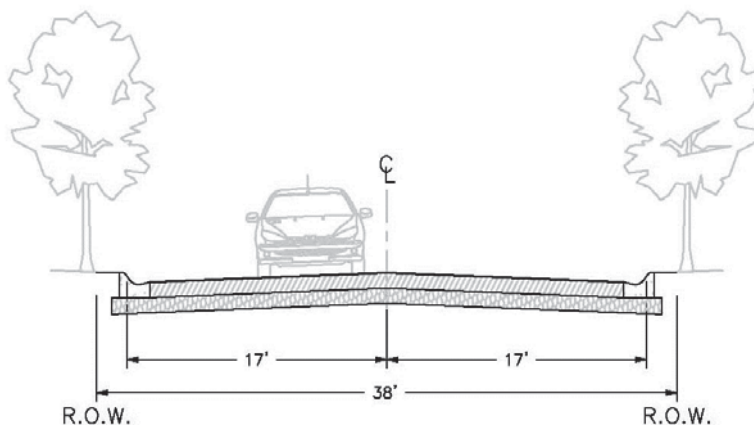
3.4.7 Neighborhood Lanes

Description:

Each neighborhood lane will be designed to be a small-scale, slow-speed private roadway with each Lane providing access to a minimal number of residential homes in the Res-1, Res-2, Res-3 Planning Areas. These Neighborhood Lanes will be shorter in length and see less traffic volume than Neighborhood Streets. Raised Traffic Circles will be utilized at the intersection with linear parks and paseos to slow vehicles, beautify the roadway, and provide off-street pedestrian connections. Due to these various design features such as proximity to off-street pedestrian paths, slow vehicular speeds, and short roadway lengths, these Lanes do not require sidewalks.

Street section below shall be redesigned for a maximum curb-to-curb width of 24 feet with parking on one side only.

Movement	Free
Design Speed	15 mph
Travel Lanes	Two way, two lanes
Parking	Parallel on both sides
ROW Width	48 feet
Curb Type	Rolled
Sidewalk Width	None
Bicycle Lane	Class III
Landscape	Continuous planting with drought-tolerant grasses, and ground cover (low water use).



encompasses approximately 1 acre. This area will be located in the southern portion of Country Walk and will include a bike center, dog barn, horse tie up, barn/livery, and restrooms.

In addition, a staging area will be located at the south east corner of the project boundary within the Rec-1 Planning Area. This staging area will include horse stables, RV camping, restrooms and parking. Trail access will be provided to the adjacent FORHA lands and the National Monument.

The former Fort Ord and the greater BLM lands are currently utilized by cyclists of all types and abilities. As described above, the proposed network of multi-use trails and designated network of bicycle lanes will support the cycling community and its desire to access the hundreds of miles of trails present throughout Fort Ord.

Final development plans shall include a trail from 8th and Gigling to the trails connecting to the Fort Ord Habitat Recreational Area lands, which connect to the Fort Ord National Monument, with a minimum of two acres of land provided for a Fort Ord National Monument Interpretive Center at a location of mutual agreement.

In addition, a cross country equestrian course is envisioned adjacent to the proposed OS Planning Area and within the adjacent preserved open spaces east of the Specific Plan Area. The cross country course was previously discussed in the East Garrison/Parker Flats Land-Use Modification Memorandum of Understanding between Fort Ord Reuse Authority, Monterey Peninsula College, U.S. Bureau of Land Management, and the

U.S. Army (Assessment East Garrison-Parker Flats Land Use Modification, Zander and Associates, May 2002, page 18).

Figure 3.5 shows the location of the proposed trail network. **Figures 3.6 and 3.7** illustrate the applicable trail design standards.

3.6 Public Transportation System

The Monterey-Salinas Transit (MST) currently provides bus service to the region, which includes 280 square miles of area between Monterey County and Southern Santa Cruz County. Several bus routes are already located within the Fort Ord area. Existing bus routes are also located adjacent to the project site.

The development envisioned in the Specific Plan, combined with the extension of Gigling Road, the planned construction of the Eastside Parkway, and the construction of other roadway construction projects will facilitate the establishment of additional bus routes and/or stops within the Specific Plan area. It is anticipated that additional bus stops will be located within or near the community. The ultimate goal of the expanded transit system is to have all future residents living within 1/2 mile (or a 10-minute walk) of a transit stop. Achieving this goal will require close coordination with the MST as site development occurs. At a minimum, a bus stop is planned near the intersection of Gigling Road and Eastside Parkway along Monterey Downs Road. This location is within the geographical center of the Specific Plan and within walking distance of most other proposed land uses. Other

CHAPTER 5 – Architectural Design Guidelines

Table 5.2
Single Family Detached Cluster Residential Design Matrix

ARCHITECTURAL STYLE	
Architectural styles permitted	American Farmhouse California Bungalow Craftsman Monterey Spanish Eclectic
FLOOR PLANS / ELEVATIONS	
Floor Plans / Elevation Options	A minimum of 3 floor plans and 3 elevations options for each floor plan. No adjacent homes shall have the same floor plan-elevation combination.
BUILDING MASSING AND SCALE	
Single Story Elements (Portions of the building that has no second story)	At least 20% of the dwellings within a subdivision shall have a single story element (porches qualify as a single story element).
Staggered Wall Planes	- No building wall facing a public street shall extend more than 25' vertically or horizontally without a visual break created by a minimum 2' offset in the exterior wall or created by architectural detailing. - No more than 60% of the front elevation on a 2-story residence can be composed of a single wall plane.
WINDOW OPENINGS	
Front Elevations	Front elevations must feature at least one of the following: - Extended roof overhangs at principal windows (Minimum Overhang: 12") - Trim surrounds, headers, or sills at all windows (Min. Trim Material: 2" x 6") - Shutters, tiles or other decorate trim at principal windows
Side and Rear Elevations - 2nd story windows which are visible from perimeter streets, community open space or other public spaces	A principal window created in one of the following ways is required: - Recessed into thickened walls or projected forward of the wall plane (Min. Recess or Projection 6") - Extended roof overhangs at principal window (Minimum Overhang: 12") - Shutters at Principal window - Trim surrounds, headers, or sills at all windows. (Minimum Trim Material 2" x 6")
BUILDING MATERIAL & COLOR BLOCKING	
Any elevation visible from interior streets, perimeter streets, community open space or other public spaces	Material and color blocking shall not terminate at an outside corner.

Table 5.2
Single Family Detached ~~Cluster~~ Residential Design Matrix

COLOR SCHEMES	
Number of color schemes required:	2 color schemes (min.) per elevation. Each color scheme shall have at least 3 colors, including: • Base Color • Accent • Trim
Front and/or Garage Doors	Color shall complement architectural style and be compatible with color scheme. No adjacent homes shall have the same color scheme.
ROOFS	
Roof Pitch	4:12 to 8:12
Roof Overhang	• Roof eaves shall have a minimum of 12" overhang; or may be reduced to a 6" overhang when a corresponding fascia element 12" or greater in height is provided. • Rakes may be tight or have a 12" overhang as appropriate to the architectural style of the residence.
Roof Material	• Concrete or clay tiles in shapes consistent with the selected architectural style • Wood shake roofs are prohibited • Spanish tile roofs shall have a variegated design
Roof Finish	Matte finish to minimize glare
Skylights	• Framing material shall be colored to match the adjoining roof. • White dome skylights are not permitted.
Mechanical Equipment	• Roof mounted air conditioners are not permitted • All pipes, vents and other similar equipment shall be painted to match the roof surface
MISCELLANEOUS	
Light and Glare	• Street lighting shall be per City standards • Homeowner and association lighting, other than street lighting, shall be shielded to minimize illumination of adjacent lots or properties and to reduce glare.
Utilities	All utility connections from the main line in the public right-of-way to building shall be located underground

DEVELOPMENT STANDARDS

6.1 Introduction

The Monterey Downs Specific Plan proposes the development of a new community with a mixture of equestrian, residential, visitor serving, mixed-use commercial, and open space uses. The collection of land uses are arranged in a clustered (or traditional neighborhood) configuration, where the proposed urban land uses are located adjacent to the developed portions of the former Fort Ord military base. Moving away from these more urban/suburban environments, the Specific Plan proposes the development of visitor serving equestrian uses, open space, and cemetery land uses, which are intended to provide a logical transition between the urban/suburban core and former Fort Ord's surrounding open space preservation areas. As a result, the Monterey Downs Specific Plan will serve as a model for consistency with respect to the Fort Ord Base Reuse Plan (BRP), the Fort Ord Habitat Management Plan, and the principles of Smart Growth.

The regulations contained in this Chapter are intended to provide for development of all properties located within the Specific Plan area. This Chapter establishes the

development standards for the proposed development within the Specific Plan area.

The standards contained in this Chapter of the Specific Plan supersede those of the City of Seaside Municipal Code (Municipal Code), unless otherwise stated herein. Where the language in this Specific Plan is undefined, unclear, or vague, then the final interpretation and determination shall be made by the Zoning Administrator. At his or her discretion, the Zoning Administrator may forward an item requiring interpretation to the Planning Commission for determination. In addition, any decision by the Planning Commission may be appealed to the City Council for final determination. All decisions by the City Council shall be deemed final.

In instances of conflicting regulations and standards, the standards and regulations contained in the Specific Plan shall take precedence over the Municipal Code. Where standards, regulations or requirements of governing agencies (such as the ~~California Horse Racing Board~~, Regional Water Control Board, or EPA) conflict with those of the Specific Plan, the applicant may apply for a Minor Modification pursuant to sec. 8.3.2 (5). If this Specific Plan is silent on an issue,

then the standards in the Municipal Code shall apply. The provisions in this Chapter are not intended to interfere with, abrogate, or annul any easement, covenant, or other agreement between parties.

6.2 Definitions

For the purposes of this Chapter, definitions shall be the same as described in Chapter 17.10, Definitions, of the Municipal Code, except as otherwise defined in this Specific Plan.

6.3 Sustainability Requirements

All developments within the Specific Plan shall incorporate the current Title 24, Part 6, California Energy Efficiency Standards for Residential and Nonresidential Buildings, Title 24, Part 11, California Green Building Standards Code (CALGreen) requirements for low-rise residential apartments and dwellings, and MCWD Water Conservation Rules-New Construction, Ordinance #40.

A developer or builder may elect to add additional sustainable features.

6.3.1 All Developments

Site Design

- Comply with City adopted California Building Code and all existing City ordinances for energy efficiency, landscaping and water conservation as well as Section 7.2, Landscape Design Principles, and Section

7.4, Landscape Standards of the Specific Plan.

- Where active or passive solar energy features are incorporated into building design, document that building(s) will have adequate solar access and proper building orientation.
- Outdoor lighting shall not extend past property.
- Utilize low-pressure sodium, LED, or equivalent lighting for parking lot lighting except where true-color rendering is desired. All parking lot lighting shall be down cast (cut-off) fixtures.
- Stormwater BMPs, Low Impact Development (LID) techniques, and erosion control devices will be utilized during construction and post-construction consistent with the most current NPDES requirements at the time of development. This will uphold the integrity of the drainage system and retain the effectiveness of the infiltration basins.
- Opportunities for placement of solar energy products and installation of wind protection barriers should be considered in the Urban Design process for each development phase.

Construction Site

- All construction sites shall have easy access to well-organized recycling bins for wood, cardboard, metals, glass, and other potential recyclable materials as well as an

- identified in the model homes to alert buyers of their availability.
- Provide time motion-activated lighting in all model homes to reduce energy consumption during times the models are not being viewed.
- Encourage the use of universal design principles to facilitate the development of housing to accommodate residents of all abilities.

Water Efficient Plumbing Fixtures and Appliances

- Install low flow plumbing fixtures (toilets, faucets, etc).
- Install water saving dishwasher with Energy Star rating.

Indoor Energy Conservation

- Install attic exhaust fan.
- Allow for adequate ventilation areas above and on the sides of refrigerators.
- Provide indoor (and/or outdoor) motion-activated lighting option to homebuyer.
- All appliances provided by the builder shall be Energy Star rated.

6.3.3 Single-Family Detached Housing

Model Homes

- In at least one model home, and as options to the buyer, plant a backyard wildlife garden using native materials.

Outdoor Energy Conservation

- Provide option to homebuyer to install a compost bin.
- Provide outdoor motion-activated lighting option to homebuyer.

6.3.4 Multi-family Development

Site Design

- Provide shade (within 10 years) on at least 30% of onsite impervious surfaces, including parking areas, driveways, walkways, plazas, patios, etc. (excluding roofs) or use light-colored/high-albedo materials (reflectance of at least 0.3) for 30% of the site's non-roof impervious surfaces.
- Provide secure bicycle storage for apartments.
- On mixed-use buildings at least 60% of all windows on the second and higher floors must be operable.

Outdoor Energy Conservation

- Install motion detectors to control residential outdoor lighting.

TABLE 6.1
RESIDENTIAL LOT AND BUILDING REQUIREMENTS
(RES-1, RES-2, RES-3, & RM PLANNING AREAS)

	SFD RESIDENTIAL	SFD Courtyard RESIDENTIAL	MF RESIDENTIAL/ CAMPUS HOUSING
LOT CRITERIA			
Lot Width ³	42' min.	no min.	no min.
Lot Depth	60' min.	no min.	no min.
Lot Area ¹⁰	2,500 s.f. min.	no min.	no min.
Lot Coverage	60% max.	70% max.	70% max.
DWELLING UNIT SIZE			
Dwelling Unit Square Footage	1,200 s.f. min.	1,000 s.f. min.	Studio – 350 s.f. min. 1 bedroom – 550 s.f. min. 2 bedrooms – 700 s.f. min. 3 or more bedrooms – 900 s.f. min. Campus housing – No min.
Accessory Structures	400 s.f. max.	400 s.f. max.	400 s.f. max.
BUILDING SETBACKS^{1,2}			
Front Setbacks			
Living Area	10' min.	10' min.	6' min.
Porch	5' min.	5' min.	5' min.
Garage	18' min. ⁷	2' min from alley drive	N/A
Side Setbacks	3.5' 4.0' min. (lots less than 3,750 sq.ft.) 5' min (lots greater than 3,750 sq.ft) 6' min for street	N/A (see Building Separation standards below)	N/A (see Building Separation standards below)

CHAPTER 6 – Development Standards

Rear Setbacks ⁸	side corner lots		
Main Structure			
60-64 foot lot depth		N/A	N/A
65-70 foot lot depth	10'	(see Building	(see Building
71-79 foot lot depth	12'	Separation	Separation standards
Over 80 foot lot depth	15'	standards below)	below)
	15'		
2nd Story Deck or Patio Cover (not exceeding 15' in length)	10'	5'	N/A
Decks over 3' above grade ⁹		5'	N/A
	5'		
BUILDING SEPARATION			
Distance Between Structures (including accessory structures)	<u>7' min. 8' and 10'</u> <u>on alternating lots</u> <u>(lots less than</u> <u>3,750 sq.ft.)</u>	7' min.	Front to front – 25' min. Front to side – 20' min. Side by side –10' min. Side to rear –24' min. Rear to rear – 20' min.
	10' min (lots greater than 3,750 sq.ft)		
Garage Door to Garage Door		24' min.	28'
Between 2 nd and/or 3 rd Level Livable Areas Across an Alley Drive	N/A	24' min.	N/A
	N/A		
<u>To ensure privacy is maintained</u> <u>between adjoining two-story</u> <u>dwelling on lots less than 3,750</u> <u>square feet, off-set the second story</u> <u>windows to avoid having second story</u> <u>windows directly face each other.</u>			
BUILDING HEIGHT⁴			
Building Height	30' max. 32' max. (pitch greater Than 6/12)	40' max. <u>2 story max. when</u> <u>adjacent to</u> <u>detached single</u> <u>family residence</u>	50' max.
Accessory Structure	15' max.	15' max.	25' max.
PRIVATE OPEN SPACE			

open space and trail network within Fort Ord Recreational Habitat Area (FORHA) open space lands.

- *Provide plant materials and landscape design features which create long term sustainability:* Landscaping shall include predominantly drought tolerant native or naturalized plant materials with proven adaptation to the region's Mediterranean climate, and plant species capable of providing storm water filtration where appropriate. Plant selection and irrigation design will be in compliance with the MCWD's water conservation measures including the Standard Specifications for Landscaping and Irrigation Systems and the requirements of the State of California Model Landscape Ordinance.
- Encourage civic art into both public and private development projects.

7.3 Conceptual Landscape Planning

The streetscapes, open spaces, trails and parks within the Specific Plan area are "place making" opportunities. In order to achieve the desired standard of quality and sense of place, landscaped areas shall be given a unique character and level of quality that collectively reinforces the identity of the public and/or private realm.

Figure 2.3 illustrates the conceptual plans for landscaping within the Specific Plan area.

7.3.1 Streetscapes

Creating great streets is an essential element of this Specific Plan. The goal is to design streets that promote the needs of pedestrians over vehicles while also

providing an environment that is pleasing to a multitude of users.

Street Tree Planting Program

Streets within each residential neighborhood will be planted with a variety of landscape tree specimens. Where street trees are proposed, large specimen trees will be planted whose canopy and other natural attributes will create a distinct visual impression for pedestrians, residents, and visitors to the community. The list of trees provided below is intended to serve as a guide during preparation of formal landscaping plans. While exact species conformance is not required, the use of plant species not listed below must be proven to have comparable drought tolerance, aesthetic quality, and must not be invasive. In addition, the tree species presented below, and any alternative tree species chosen during final design, must meet the City of Seaside's Landscaping Standards (Section 17.030.040 of the City's Municipal Code).

The following list of drought tolerant trees are permitted along the Specific Plan's boulevards (Monterey Downs Road, Eastside Parkway, Parker Flats Road). Alternative street trees may be approved by the Planning Division as part of the final design review process.

- Arbutus (Arbutus marina/unedo)
- Monterey Cypress (Cupressus macrocarpa)
- New Zealand Christmas Tree (Metrosideros excelsus)
- Coast Live Oak (Quercus Agrifolia)

The neighborhood streets will vary throughout the Specific Plan. Some streets

wind per Seaside's irrigation requirements.

- Apply irrigation water in short interval applications to reduce runoff to paved areas per Seaside's requirements.
- Apply drip system irrigation in medians.
- Ensure that irrigation water is not applied to walks, driveways, walls, fences and building faces. Irrigation runoff water shall not flow on to other properties or on the public right-of-way.
- Provide approved backflow prevention devices on all systems.
- Screen all irrigation equipment from public view, including back-flow devices and controller boxes.
- Install automatic valves in valve boxes and use pop-up spray heads whenever feasible.

7.4.6 Landscape Maintenance

- Maintain all landscape materials, including trees, shrubs, ground covers and vines in a healthy condition at all times.
- Remove damaged, dead, or diseased plant material promptly and replace it with plants that substantially match the original design intent in terms of size, location and variety.
- Remove overgrown, oversized, or hazardous plant materials when they cannot be pruned to a safe condition and threaten public health, safety or welfare.

- Prepare and show maintenance specifications on landscape plans describing the irrigation, pruning, weeding, fertilizer application and other pertinent maintenance criteria for all landscaped areas.

7.4.7 Civic Art

- Encourage civic art into both public and private development projects.

7.5 Lighting Standards

The objectives for exterior lighting are as follows:

- To contribute to the safe and efficient use of all public and private areas in the Specific Plan area.
- To increase the perception and reality of personal and property security.
- To complement and reinforce the architectural and landscape character of all public and private spaces.
- To contribute to the ease of way finding through the development.
- To meet all applicable public and environmental standards including energy conservation.
- To provide a consistent quality of lighting throughout the residential neighborhoods and commercial areas.
- To avoid adverse impacts such as excessive glare and light spill.
- To reinforce the identity of each

Implementation

8.1 Introduction

This Chapter describes the anticipated development phasing, identifies potential funding and maintenance of public facilities, and details the development review procedures applicable to the Specific Plan.

The Specific Plan serves both a planning function and a regulatory function. The Specific Plan also contains all applicable land development regulations and will thus constitute the zoning for all portions of the Specific Plan area. In addition, general administrative rules are specified to properly relate the Specific Plan to the provisions of the Seaside Zoning Ordinance.

Implementation of the proposed land uses shall be through approved Subdivision Map Act procedures and other Site Plan Review procedures.

Should future economic or development conditions make it desirable to amend this Specific Plan, the procedures described in Section 8.2.2 8.3.2 shall govern such amendments.

If there is a conflict between the Specific Plan and the City of Seaside Zoning Ordinance, subdivision, CIP, environmental, building, or housing

codes, the provisions of this Specific Plan shall prevail.

8.2 Phasing

It is anticipated that the Specific Plan will be developed in six general phases. **Figure 8-1** establishes the proposed phasing plan. The primary intention of the Phasing Plan is to relate infrastructure requirements to proposed development. The six general development phases and their associated planning areas are described below:

- Phase 1: Portions of Res-1, Rec-1 and PF Planning Areas
- Phase 2: Res-2 Planning Area and portions of the Res-1
- Phase 3: C-1 Planning Area
- Phase 4: C-2 and RM Planning Areas
- Phase 5: Res-3 Planning Area
- Phase 6: Rec-2 Planning Area

Each general development phase is anticipated to be broken into various smaller construction stages that will be determined based on market conditions. These smaller construction stages will be subdivided, designed and constructed

independently. This staged approach will avoid large mass-grading operations and allow for a more manageable build-out of the Specific Plan.

The first general development phase is expected to be built over three years. Each of the remaining five general development phases will be built out over approximately 2-year periods. Thus, the overall Specific Plan development timeframe is planned to be approximately 13 years. Note that the above referenced phasing program is subject to change based upon market conditions, absorption rates, infrastructure extensions, and product mix requirements.

The Horse Park located in the Rec-1 Planning Area may begin construction of a smaller number of facilities during Phase 1, with the majority of the facilities being constructed during Phase 2.

The Veterans Cemetery phasing will be completed at the discretion of the California Department of Veterans Affairs.

8.3 Development Review and Approval Process

This Specific Plan and accompanying permits, which may be approved at various times following certification of the Environmental Impact Report, provide the basic authority for development of 880 single-family residential units, 400 apartments, 656 hotel/lodging units, and 775,000 square feet of commercial/office/visitor serving uses, Veterans Cemetery (and ancillary facilities) and the Seaside Corporation Yard within the Specific Plan area upon satisfaction of the requirements set forth herein.

The entities that are responsible for implementing the various components of the Specific Plan are illustrated in **Figure 8.2** and listed below:

Project Component	Entity
Veterans Cemetery	Ca. Department of Veterans Affairs
Veterans Chapel, Vets Hall, Amphitheater, Parking	Central Coast Veterans Cemetery Foundation
Veterans Endowment Parcel	Monterey Downs, LLC
Veterans Cemetery Development Area with Habitat Restoration Opportunity	TBD
Seaside Corporation Yard	City of Seaside
Monterey Horse Park	Monterey Horse Park
Cross Country Course	Monterey Horse Park
Oak Oval Planning Area	Monterey County
All Other Lands	Monterey Downs, LLC

8.3.1 Tentative Map Review

Applications for approval of Tentative Tract Maps shall be reviewed in accordance with the Subdivision Map Act and Seaside's subdivision regulations (Title 16 of the Seaside Municipal Code). The process for identification of wooded areas and individual trees for development pursuant to the Specific Plan is as follows:

- a. Tentative Maps shall identify the location of all wooded areas; and
- b. Final Maps shall identify the locations, sizes, and types of existing trees that have circumference greater than 19 inches, and clearly identify which trees are proposed to be removed. Trees with a circumference greater than 19 inches shall be replaced at a 1:1.1 ratio.

CHAPTER 8 – Implementation

Prior to recordation of the 1st final map, the subdivider shall establish a home owners association, community facilities district, community revitalization and investment authority, or similar funding mechanism to insure on-going maintenance of all landscape features, trails, passive and active open space and related facilities.

8.3.2 Amendment Procedures

The California Government Code (Sections 65453-65454) allows specific plans to be prepared, adopted, and amended in the same manner as general plans. Amendments to this Specific Plan shall be prepared, adopted, and amended in a similar manner as it was adopted. Procedures of the Seaside Municipal Code (Municipal Code) shall be followed for hearing, notice and decision of a Specific

CHAPTER 8 – Implementation

This applies to commercial, public facility and multi-family buildings only

4. The request to transfer of density and/or request modifications to planning area acreages, as described in Chapter 2, Section 2.5 of this Specific Plan.

Applications for a major modification shall be subject to review and approval by the Planning Commission. A Major Modification shall be subject to the noticing and hearing procedures as set forth by Title 17 of the Seaside Municipal Code. At the time of hearing, the Planning Commission shall have final decision making authority on the proposed major modification. The Planning Commission shall approve a major modification if it makes the following findings:

1. The modification is consistent with the goals and policies of the Specific Plan.
2. The modification is not detrimental to the public health, safety, or welfare.
3. The modification does not create a nuisance or hazard.
4. The modification does not have a significant effect on adjoining properties or the immediate neighbors.
5. The modification does not alter the conclusions of the Certified Final EIR, or subsequent environmental review is conducted to adequately analyze the modifications.

In approving major modifications, the Planning Commission may impose conditions deemed necessary to protect the public's health, safety and welfare and to assure compliance with the objectives of the Specific Plan.

8.3.3 Development Review and Application Procedures

1. Applications for proposed construction of structures and site improvements require site plan and design review approval as set forth in this subsection. A Development Application, as defined by the Municipal Code, shall be submitted to the Planning Division. The Planning Division shall determine if the submitted Development Application is in substantial conformance with the land use plan, policies, guidelines, standards, and other measures as set for this Specific Plan. The Planning Division will provide the applicant with this determination in writing within 30 days.
2. Development applications shall include a Landscape and Urban Design Program (including detailed landscaping, architectural elevations, signage program and other design details); Storm Water Control Plan; Statement of Compliance with the Specific Plan, Design Guidelines, and Design Standards and other elements as required by the California Code of Regulations; Statement of Consistency with the Fort Ord Reuse Authority Development and Resources Management Plan and Master Resolution; and other items required by the Specific Plan. Development applications shall also submit cross-sections as a design detail to provide perspective of the street contours and grading patterns between adjoining blocks.
3. If the Planning Division determines that the Development Application is in

Monterey Downs and Monterey Horse Park and C.C.V.C. Specific Plan

Table 8.1 Implementation Matrix

Infrastructure	Construction Responsibility	Construction Funding	Maintenance Responsibility	Maintenance Funding
Transportation				
Eastside Parkway	FCFD	FCFD	CS	CS
Gigling Road	FCFD	FCFD	CS	CS
Monterey Downs Road	MD	MD	CS	CS
Parker Flats Road	MD/CCVC	MD/CCVC	CS	CS
Parker Flats Cutoff	CCVC	CCVC	CS	CS
8 th Street	MD/CS	MD/CS	CS	CS
Hayfork Road (Private)	MHP	MHP	MHP	MHP
Internal Private Streets <u>including landscaping and lighting</u>	MD	MD	MD	MD
Water (incl. reclaimed)				
Eastside Parkway	MCWD	MCWD	MCWD	User Fees
Gigling Road	MCWD	MCWD	MCWD	User Fees
Monterey Downs Road	MD	MD	MCWD	User Fees
Parker Flats Road	MD/CCVC	MD/CCVC	MCWD	User Fees
Internal Private Streets	MD	MD	MCWD	User Fees
Offsite	MCWD	MCWD	MCWD	User Fees
Reclaimed Water Reservoir	MCWD	MCWD	MCWD	MCWD
Wastewater				
Eastside Parkway	MCWD	MCWD	MCWD	User Fees
Gigling Road	MCWD	MCWD	MCWD	User Fees
Monterey Downs Road	MD	MD	MCWD	User Fees
Parker Flats Road	MD/CCVC	MD/CCVC	MCWD	User Fees
Internal Private Streets	MD	MD	MCWD	User Fees

ORDINANCE NO. XXXX

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEASIDE AMENDING TITLE 17 OF THE SEASIDE MUNICIPAL CODE AND THE OFFICAL ZONING MAP TO INCLUDE THE MONTEREY DOWNS AND MONTEREY HORSE PARK AND CENTRAL COAST VETERANS CEMETERY SPECIFIC PLAN

THE CITY COUNCIL OF THE CITY OF SEASIDE DOES ORDAIN AS FOLLOWS:

Section 1. Pursuant to Section 65800 and 65850 of the Government Code, the City of Seaside has adopted a Zoning Ordinance, which regulates the use of buildings, structures, and land uses as between industry, business, residences, open space and other purposes; regulates signs and billboards; regulates the location, height, bulk, number of stories and size of buildings and structures; the size and use of lots, yards, courts and other open spaces; the percentage of a lot which may be occupied by a building or structure; and the intensity of land use; establishes requirements for off-street parking and loading; establishes building setback lines, as authorized by state law; and other matters.

Section 2. Pursuant to Section 65853 of the government Code, Seaside Municipal Code Amendment 12-02, as contemplated, proposes amending the text and map of the Seaside Zoning Ordinance (Title 17 of the City of Seaside Municipal Code) for the purpose of adding the Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan (hereinafter "Specific Plan"), adopted by the City Council on (add date).

Section 3. In accordance with Section 17.74.040 of the Seaside Municipal Code, City's Planning Commission held a public hearing on September 7, 2016 where they took testimony, and thereafter deliberated on September 21, 2016 and acted to recommend that the City Council adopt the proposed zoning map and zoning ordinance text amendments to the Seaside Municipal Code.

Section 4. On September 29, 2016, a public notice describing the City's consideration to adopt proposed text and map amendments to be incorporated into Title 17 of the Seaside Municipal Code was published in the Monterey Weekly and posted at designated locations within the City of Seaside on September 29, 2016, a minimum of 10 days in advance of the scheduled public hearing on October 13, 2016; and

Section 5. In accordance with Section 17.74.050 of the Seaside Municipal Code, the City Council held a public hearing on October 13, 2016 to receive public input, and to consider and weigh the merits of proposed text and map amendments to the Seaside Municipal Code in relation to the policies, standards and intent of the Seaside General Plan and Seaside Municipal Code, and to determine whether public necessity, convenience, and general welfare warrant the amendment; and

Section 6. The Seaside City Council considered oral comments and written information concerning

the proposed text and map amendments as described in Sections 7 and 8 below and on the basis of the record finds the following facts to be true.

Findings:

1. The purpose of this Ordinance is to adopt text and map amendments incorporating the Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan.

Evidence: The City Council adopted the Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan on (add date) and adoption of the Specific Plan requires amending Title 17 of the Seaside Municipal Code.

2. The proposed map and text amendments are consistent and in compliance with the 2004 Seaside General Plan.

Evidence: When adopting the Specific Plan, the City Council considered the Specific Plan's consistency with the relevant 2004 Seaside General Plan policies and concluded that the Specific Plan is consistent with the General Plan and with the related General Plan Amendment (GPA 12-01) also adopted on (add date) to incorporate the Specific Plan.

3. The City prepared the Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan Subsequent Environmental Impact Report (SEIR) in compliance with the California Environmental Quality Act and certified said SEIR on (add date).

Evidence: In accordance with California Public Resources Code § 21000 et. seq., the California Environmental Quality Act, and the State CEQA Guidelines, 14 Cal. Code Regs. 15000 et seq. (collectively "CEQA"), the City issued a Notice of Preparation of a Draft SEIR on September 22, 2012 for a 30-day review period by responsible and trustee agencies and other interested parties. The City circulated the Draft SEIR and its appendices to responsible and trustee agencies and other interested parties for an 80-day comment period from March 31, 2015 to June 19, 2015, in excess of the 45-day public comment period required by State CEQA Guidelines Section 15105. The City received 290 comment letters on the Draft SEIR. On April 30, 2015 the City conducted a study session on the Draft SEIR and received 45 comments. The City prepared written responses to all comments timely received on the Draft SEIR, and those responses to comments are incorporated into the Final SEIR. The Responses to Comments were distributed to all public agencies that submitted comments on the Draft SEIR in August 2016, at least 10 days prior to certification of the Final SEIR. In addition, the written responses to comments were made available for public review on the City's web site and at the City offices. On (add date), the City prepared an Appendix to the Final SEIR to correct minor errors in the text of the Draft SEIR and the Final SEIR discovered by City staff after publication of the Final SEIR. The Final SEIR is comprised of (1) the Draft SEIR dated March 2015 and all appendices thereto, (2) the Final SEIR Volumes I and II which consist of the public comments, responses to those comments, and revisions to the Draft SEIR, and (3) the Errata to the Final SEIR. The City Council, by Resolution No. (add EIR Resolution #), certified the Final SEIR on (add date) as

adequately prepared in compliance with CEQA, adopted required CEQA findings, adopted the mitigation monitoring and reporting program, and adopted a statement of overriding considerations finding that the economic, social, and environmental benefits outweigh the significant and adverse environmental effects of the project. The City Council hereby incorporates the findings and determinations made in Resolution No. ____ by reference, and relies on those findings for the adoption of this Ordinance, which is part of the project analyzed in the Final SEIR, and hereby imposes the mitigation measures as conditions on the Project approvals.

4. The Council finds and determines that public necessity, convenience, and general welfare warrant amendment of the Zoning Map and Zoning Text Amendments.

Evidence. This amendment implements the Fort Ord Reuse Plan for the subject property and assists the City in improving their job/housing balance to reach their goal of 1.5:1 by providing for up to 1,280 new homes and up to 775,000 square feet of commercial/retail, equestrian-related and other recreational visitor-serving uses generating both construction jobs and long-term permanent jobs.

Section 7. Chapter 17.20 (Specific Plans) of Article 2 (Zones, Permitted Land Uses, and Zoning Standards) of Title 17 (Zoning Ordinance Code) of the Seaside Municipal Code is hereby amended to add a new Section 17.20.050 to read as follows:

“17.20.050 – Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan

A. Purpose and Intent. The Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan was adopted by the City on (add date), to reuse a key portion of the former Fort Ord for a mixed-use village including residential, commercial, recreational, and public facility uses, consistent with the General Plan and Base Reuse Plan. As adopted, the specific plan allows for up to 400 multi-family homes including student apartments on approximately 19 acres; up to 880 single-family homes including 26 detached courtyard homes on approximately 130 acres; up to 535,000 square feet of retail and commercial uses including two 200-room hotels on approximately 51 acres; an equestrian park on approximately 111 acres; an outdoor equestrian training track, indoor sports arena, and up to 256 worker lodging units on approximately 139 acres; the Veterans Cemetery with ancillary parcels on approximately 135 acres; public facilities including a City corporation yard, a Marina Coast Water District water storage tank parcel, and fire station on approximately 20 acres; approximately 34 acres of internal streets; and the 73-acre Oak Oval open space/habitat reserve.

B. Applicability. All land use policies, development standards and design guidelines, and infrastructure improvements applicable to proposed land uses and development projects within the Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan area may be found in the adopted Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan, available at the City of Seaside City Hall, on the City’s website, or by contacting Planning Division staff directly.

C. Specific Plan Area. The Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan Area is located north of Monterey Peninsula College property, Fort Ord Recreational Habitat Area; south of the Department of

Defense building (former Silas B. Hayes Hospital); the planned mixed-use area known as Surplus II, an Army parcel on Joe Lloyd Way, and CSUMB open space; east of Parker Flats Cutoff and Army housing; and west of the Fort Ord Recreational Habitat Area. Figure (Insert Figure Number) shows the boundaries of the Specific Plan Area.

D. The provisions of this Section 17.20.050 and the related zoning map amendments adopted by Ordinance No. (add Ordinance No here) shall become effective upon the effective date of this Ordinance for those properties currently within the City's jurisdiction, and shall become effective as to that part of the Specific Plan Area that is currently outside of the City's boundaries only upon annexation of that area to the City of Seaside."

Section 8. The Zoning District Map shall be revised as presented in [Exhibit A](#) of this Ordinance.

Section 9. Severability.

A. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable.

B. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentences, clauses or phrases even if certain parts are held to be unconstitutional, invalid or unenforceable .

Section 10. Legal Construction. The provisions of this Ordinance shall be construed as necessary to effectively carry out its purposes, which are hereby found and declared to be in furtherance of public health,safety, and welfare.

Section 11. Indemnification Agreement Required. The applicant for the Monterey Downs and Monterey Horse Park and Central Coast Veterans Cemetery Specific Plan, Monterey Downs, LLC ("Applicant"), shall enter into an Indemnification Agreement with the City of Seaside agreeing to, at its own expense and with counsel selected by the City, fully defend, indemnify and hold harmless City, its officials, officers, employees, consultants, contractors, legal counsel, and agents ("Indemnified Parties"), from and against any and all claims, suits, causes of action, fines, penalties, proceedings, damages, injuries or losses of any name, kind or description, specifically including attorney's fees, ("Liabilities"), arising in any way out of the City's approval of this Ordinance or any other action of the City related to the Specific Plan. Applicant's indemnification obligation shall include, but not be limited to, actions to attack, set aside, void, or annul the City's approval of the Specific Plan and related actions, and Liabilities premised on, related to, or invoking Planning and Zoning Law or the California Environmental Quality Act (CEQA), including those arising out of the City's decisions related to the Project's CEQA documents. Applicant's indemnification obligations shall not be limited to the amount of insurance coverage that may be available to Applicant, and shall not otherwise be restricted or confined by the presence or absence of any policy of insurance held by the City or Applicant. Applicant's indemnification obligations as required herein, and as memorialized in the indemnification agreement, shall survive the completion or abandonment of the Project, including the situation where the approvals of other permitting agencies are not granted. The provisions of the indemnification agreement shall be drafted, interpreted, and construed to provide the fullest

protection possible under law to the City. Further, all obligations and Liabilities under the indemnification agreement shall be paid by the Applicant as they are incurred. The indemnification agreement shall be in a form and substance as approved by the City Attorney, and shall be executed prior to the Effective Date of this Ordinance. The City Council hereby authorizes the City Manager to execute the indemnification agreement meeting the minimum requirements set forth herein.

Section 12. Effective Date. This Ordinance shall become effective thirty (30) days after its final passage and adoption at a duly noticed public hearing for the second reading of the proposed text and map amendments.

Section 13. The City Clerk shall certify to the adoption of this Ordinance and shall, within fifteen (15) days after passage, publish a summary of this Ordinance in accordance with Section 36933 of the Government Code of State of California with the names of City Council members voting for and against it.

INTRODUCED at a special meeting of the City Council of the City of Seaside on the ____ day of ____, 2016, and

PASSED AND ADOPTED by the City Council of the City of Seaside at a regular meeting of the City Council on the ____ day of ____, 2016, by the following roll call vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

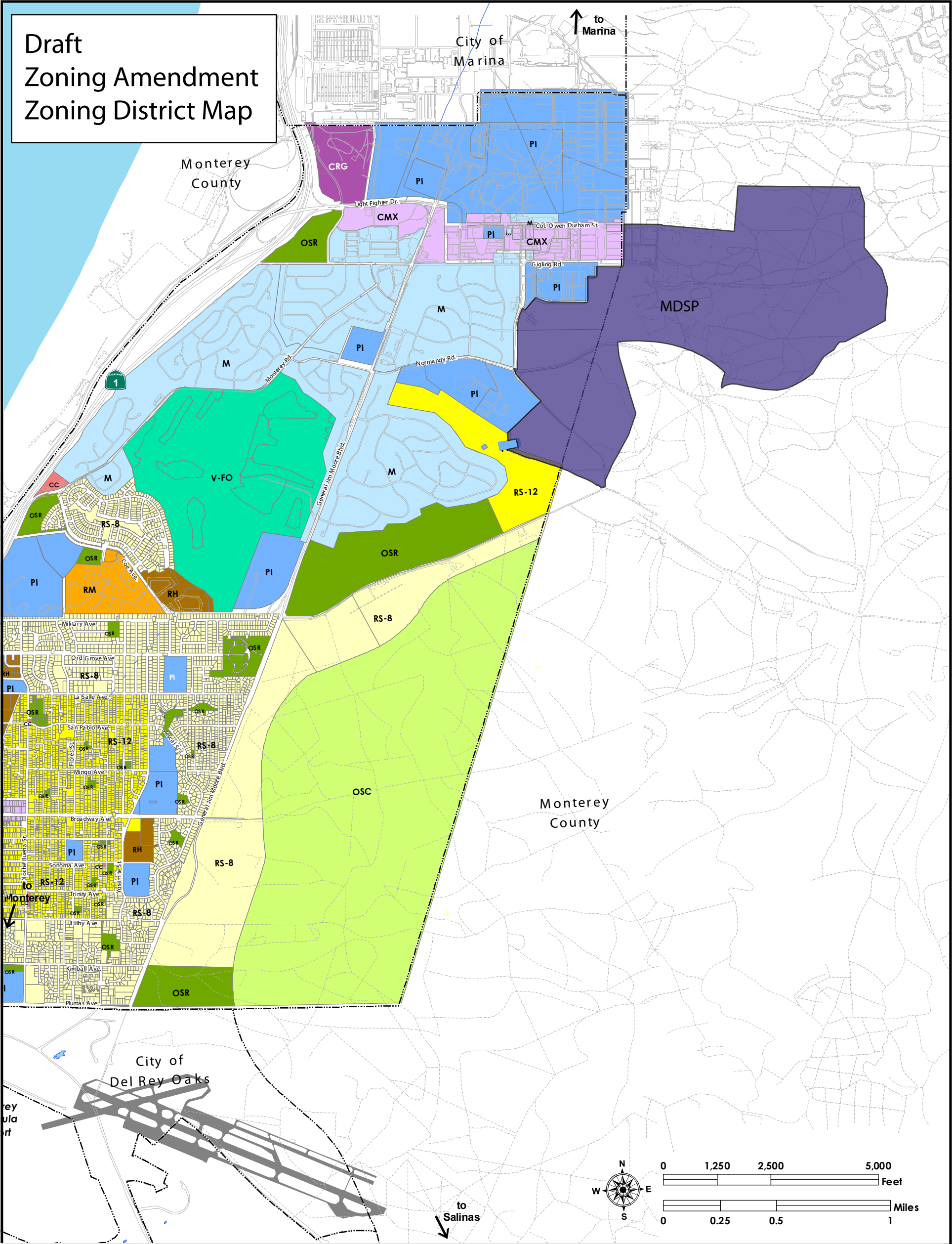
APPROVED:

Ralph Rubio, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk

Exhibit A – Zoning District Map



Seaside Zoning Districts

- | | | |
|--|--|--|
| <ul style="list-style-type: none"> RS-8 - Single-family Residential RS-12 - Single-family Residential RM - Medium Density Residential RM - Medium Density Residential (W BUV) RH - High Density Residential RH/ MX - High Density Residential/ Mixed Use (W BUV) | <ul style="list-style-type: none"> MDSP - Monterey Downs Specific Plan CA - Automotive Commercial CC - Community Commercial CH - Heavy Commercial CMX - Commercial Mixed Use MX - Mixed Use (W BUV) CRG - Regional Commercial | <ul style="list-style-type: none"> PI - Public / Institutional M - Military V-FO - Visitor-Serving Commercial OSR - Open Space - Recreation OSC - Open Space - Conservation POS - Parks and Open Space (W BUV) |
|--|--|--|