# <u>CITY OF MARINA</u>: POST-REASSESSMENT "CATEGORY III" B.R.P. POLICY/PROGRAM COMPLETENESS PART I (pp. 1-19): SUMMARY OF "STATUS: INCOMPLETE" B.R.P. PROGRAMS, PER THE 2012 REASSESSMENT REPORT

B.R.P. ELEMENTS  RESIDENTIAL LAND US	Е	REASSESSMENT REPORT NOTES	JURISDICTION'S NOTES/COMMENTS
Program B-2.2: The [jurisdiction] shall adopt zoning standards for the former Fort Ord lands to achieve compatible land uses, including, but not limited to, buffer zones and vegetative screening.	Incomplete	Municipal Code Chapter 17.28 addresses buffers at the airport area. The University Villages (Dunes) Specific Plan does not include policies requiring buffers along State Route 1. Consistency determinations with the Marina zoning code were made on the following dates: 3/13/98, 6/13/03, 5/14/04, 7/8/05, 3/10/06, 2/9/07, 9/10/10 & 8/12/11.	Fort Ord Base Reuse Plan (BRP) Program B-2.2 does not specifically require buffers within the Dunes on Monterey Bay Specific Plan (DSP) area along SR 1, as cited in the report notes.  Issues relating to buffers and transitions of land use are addressed within several documents, including the Highway 1 Design Corridor Design Guidelines (March 29, 2005), Marina General Plan (October 31, 2000) and Dunes on Monterey Bay Specific Plan (May 31, 2005).  The Marina General Plan applies to the whole of the City of Marina, including the former Fort Ord. On May 22, 2001, the FORA BoD adopted Resolution No. 2001-05, finding the General Plan to be consistent with the Fort Ord Base Reuse Plan, including finding the Final Environmental Impact Report (EIR) and EIR Addendum to be sufficient for FORA's determination of consistency.

The Marina General Plan (October 31, 2000) establishes policies that ensure compatibility of land uses.
General Plan Figure 4.1 identifies those areas of the City where establishing a distinctive neighborhood or district appearance is desirable and requires that the boundaries of the neighborhood or district should be clearly defined by open space buffers or roadways.
General Plan Policy 4.52 requires that the landscape buffer of Monterey Cypress along the east side of Highway One shall be maintained and reinforced (2005-128).
General Plan Policy 4.118 requires that where development sites are adjacent to areas designated as "Habitat Reserves" or other identified sensitive areas, site improvements and buildings shall be located and designed so as to avoid adverse impacts on the biological resource in question, including such measures as providing an adequate buffer between new development and identified sensitive habitat.
Also applicable, the Dunes on Monterey Bay Specific Plan (DSP) establishes development standards and design guidelines within its boundary. On July 14, 2005, the FORA BoD

			adopted Resolution No. 2005-06, finding the DSP to be consistent with the Fort Ord Base Reuse Plan (BRP).  Landscape buffers, community buffers (for traffic and noise) and vegetative screening requirements are addressed in Chapter 4, Design Guidelines, of the DSP.
Program F-1.1: The [jurisdiction] shall develop guidelines to facilitate and enhance the working relationship between FORA and local homeless representatives.	Incomplete	A coalition for homeless services providers met periodically with FORA between 1998 and 2005 (approx.). However, the coalition no longer meets with FORA on a regular basis, and specific guidelines have not been developed.	The City of Marina has approved and will continue to review and consider entitlements for several housing developments for homeless and other target populations (Interim, Inc. Veteran's Transition Center, Shelter Outreach Plus) and support grant applications to provide affordable, supportive and transitional housing projects (eg. University Villages Apartments, Interim Inc.).  On September 1, 2009, the Marina City Council adopted Resolution No. 2009-147, amending the City of Marina General Plan by adopting Final Housing Element 2008-2014.  On February 11, 2010, the FORA Board of Directors adopted Resolution No. 10-02, finding the Housing Element to be consistent with the Fort Ord Base Reuse Plan.  Addressing the issue of homelessness, Housing Element Program 11.3 requires that

the City amend all residential zoning districts
to permit interim/transitional housing and
supportive housing as a residential use subject
only to those regulations that apply to other
residential dwellings of the same type in the
same zoning.
On June 14, 2011, the Marina City Council
adopted Ordinance No. 2011-03, amending
Marina Municipal Code Chapter 17.04 to
implement Housing Element Program 11.3,
and on June 7, 2011, the Marina City Council
adopted Resolution No. 2011-98, finding that
the amendments to the Marina Municipal
Code are consistent with the Fort Ord Base
euse Plan. On August 12, 2011, the FORA
Board of Directors adopted Resolution No.
11-07, finding the Municipal Code
amendments to be consistent with the Fort
Ord Base Reuse Plan.
The City of Marina also continues to work
with developers to rehabilitate existing
housing units (Veteran's Transition Center,
Shelter Outreach Plus), including and
expediting entitlements for affordable housing
projects (AMCAL Promontory).

COMMERCIAL LAND US	E		
Program B-2.1: The [jurisdiction] shall amend the [jurisdiction's] General Plan and Zoning Code to prohibit card rooms or casinos as or conditionally permitted land uses on the former Fort Ord.	Incomplete	Marina has no regulations relating to gambling.	The General Plan and Marina Municipal Code apply to the whole of the City of Marina, including the former Fort Ord.  In accordance with the Marina General Plan and the Zoning Ordinance, card rooms and casinos are not listed as either a permitted or conditionally permitted use in any Zoning District within the City of Marina. Therefore card rooms and casinos are not a permitted use within the City of Marina.  Marina Municipal Code (MMC) Section 5.32.102 specifically prohibits additional card room permits to those existing and legally permitted on the effective date of the ordinance (Ord. 96-6 § 1, 1996).  Table 5.6 of the Dunes on Monterey Bay Specific Plan also specifies that card rooms and casinos are not permitted uses within any land use designation within the Specific Plan area.  The Marina Heights project is a 100% housing project and has no land use availability for uses other than residential and residential support (parks, etc.).

RECREATION/OPEN SPACE LAND USE			
Program B-1.2: The [jurisdiction] shall create an open space plan for the former Fort Ord showing the linkage of all open space areas within the [jurisdiction] and linking to open space and habitat areas outside [jurisdiction].	Incomplete	An Open Space Plan has not been completed to date.	The General Plan Land Use Map shows the Habitat Reserve and Other Opens Space System within Marina and how the areas are linked within Marina and to County of Monterey lands that are within the City's adopted Sphere of Influence to the south. This system includes lands identified in the Conservation Area and Corridor System of the Installation-Wide Multi-Species Habitat Management Plan for the former Fort Ord.  The Open Space section of the Community Land Use Element of the General Plan contains the policies, figures and tables relating to the location and amount of habitat reserves and other open space to be permanently retained within the City. This includes 2,417 acres of open space within the former Fort Ord.  In addition to these lands, Policy 2.8 of the General Plan requires that, wherever possible, public open space in the form of natural undeveloped lands and/or developed parklands shall be incorporated into all major subdivision and developments, including residential, commercial and institutional

			(educational and civic) projects and wherever feasible, major open space areas shall be linked to each other through the provision of wildlife habitat corridor and/or recreational trails.
Program C-1.3: The City of Marina shall designate land uses for the following park locations and acreages:  • Neighborhood Park in housing area (Polygon 4): 27 acres.  • Neighborhood Park with community recreation center (Polygon 2B): 10 acres.  • Community Park at existing equestrian center (Polygon 2G): 39.5 acres.  • Community Park with equestrian trailhead (Polygon 17a): 46 acres.  [Note: The Polygon 17a park site is located within Monterey County jurisdiction, not City of Marina jurisdiction]	Incomplete regarding Polygon 17a.	Parks are planned as part of the approved University Villages, and Marina Heights specific plans.  With regard to the Community Park on Polygon 17A, this parcel is not within City jurisdiction, but rather the County's, but not included with the County program above. Polygon 17A: (also referred to as L5.7) was originally a Public Benefit Conveyance property designated for transfer to the City of Marina. The City of Marina rescinded their request for this parcel in 2003. The Monterey Peninsula Unified School District considered the parcel for a future school site, but later determined that it did not want this site. The County is currently designated as the end recipient of this parcel. The draft County trails plan shows this parcel as residential. FORA Consistency Determinations with Marina General Plan & Zoning Code:	NOT APPLICABLE  Polygon 17a is not within Marina.

		3/22/01, 7/8/05 & .3/10/06. Consistency determination for the 2010 Monterey County General Plan is pending.	
INSTITUTIONAL LAND	USE		
Program A-1.4: The City of Marina shall minimize the impacts of or eliminate land uses which may be incompatible with public lands, such as a public maintenance yard and a transfer station, and an existing equestrian center located in the Marina Village District north of the CSUMB campus.	Incomplete	The City has not indicated an intention to relocate these facilities or minimize their impacts.	Partially Complete  Public Maintenance Yard – Complete In 2003, the U.S. Army conveyed a 5.5+ acre site located on 5th Street to the City of Marina as a public benefit conveyance (PBC). The site includes an 11,000 square foot building, which was used by the U.S. Army to maintain heavy vehicles.  The General Plan Land Use Map designates the site as Public Facilities – Other (PF-O). On May 22, 2001, the FORA BoD adopted Resolution No. 2001-05, finding the General Plan to be consistent with the Fort Ord Base Reuse Plan, including finding the Final Environmental Impact Report (EIR) and EIR Addendum to be sufficient for FORA's determination of consistency. On February 9, 2006, the City approved Site and Architectural Design Review, issued a Conditional Use Permit and made a finding of consistency for the Public Works Yard Project

with the Fort Ord Base Reuse Plan.
In accordance with MMC Section 17.50.040,
Site and Architectural Design Review is
conducted and findings are made to ensure
that buildings, structures or other
improvement shall be "designed and
constructed, and so located, that they will not
be unsightly, undesirable or obnoxious in
appearance to the extent that they will hinder
the orderly and harmonious development of
the city, impair the desirability of residence or
investment or occupation in the city, limit the
opportunity to obtain the optimum use and
value of the land and improvements, impair
the desirability of living conditions on or
adjacent to the subject site, and/or otherwise
adversely affect the general welfare of the
community."
In accordance with MMC Section 17.48.040,
of the Municipal Code, "In order to grant any
use permit, the findings of the appropriate
authority shall be that the establishment,
maintenance or operation of the use or
building applied for will not under the
circumstances of the particular case, be
detrimental to health, safety, peace, morals,
comfort, and general welfare of persons
residing or working in the neighborhood of

			such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city."  Transfer Station – NOT APPLICABLE  City staff have no knowledge of a transfer station within the City of Marina on former Fort Ord.  Equestrian Center – INCOMPLETE  Consistent with the Fort Ord Base Reuse Plan, Marina General Plan Policy 2.16.5, allows the existing equestrian center to continue as an interim use at its present site until such time that it can be relocated to a more suitable site south of Imjin Road. Pursuant to City Council direction, the equestrian center has seen significant improvement in recent years. This includes an upgrade to the site and structures to improve the safety and appearance of the center and protect the buildings from the elements, including review by the Site and Architectural Design Review on January 15, 2014.
			on January 15, 2014.
CIRCULATION - STREET	'S AND HIGHV	WAYS	
Program B-1.2: Each jurisdiction shall identify and	Incomplete	The City has not adopted truck routes. General Plan Policy 3.17 prohibits	INCOMPLETE  The City has not specifically designated truck

coordinate with FORA to designate local truck routes to have direct access to regional and national truck routes and to provide adequate movement of goods into and out of former Fort Ord.		trucks from residential streets (other than for local delivery).	routes within the General Plan or the Municipal Code.  On May 22, 2001, the FORA BoD adopted Resolution No. 2001-05, finding the General Plan, including the General Plan Land Use Map, to be consistent with the Fort Ord Base Reuse Plan.
Program C-1.1: Each jurisdiction shall assign classifications (arterial, collector, local) for each street and design and construct roadways in conformance with the standards provided by the Reuse Plan (Table 4.2-4 and Figure 4.2-4).	Incomplete	The 2000 Marina General Plan designates the functional purpose of each street, and includes cross-sections for several specific streets. General Plan Figure 3.1 generally indicates streets with fewer lanes than indicated in BRP Figure 4.2-3, including Reservation Road, Second Avenue, and most of Imjin Parkway all of which are 6 lanes in the BRP and generally 4 lanes in the Marina General Plan.	The General Plan Community Infrastructure Element identifies the street network for the City, including former Fort Ord. The General Plan EIR analyzed traffic at build out of the General Plan and designated the appropriate road network for Marina's future needs which varies from the BRP network.  Support documentation, submitted to FORA on March 6, 2001 as part of the General Plan Consistency Determination, explains in detail why there are differences between the traffic analysis for the Base Reuse Plan and the traffic analysis for the General Plan. Table 6. of the document compares ADT by segment and future roadway design for the Base Reuse Plan network to the proposed network for Marina, which was adopted in the General Plan.  Based on this information, on May 22, 2001, the FORA BoD adopted Resolution No. 2001-

			finding the Final Environmental Impact Report (EIR) and EIR Addendum to be sufficient for FORA's determination of consistency.
			Section 8 of the Resolution states that, "The Board finds that Chapter 8 of the FORA Master Resolution should be adjusted within 180 days to clarify and eliminate any potential inconsistency between the Base Reuse Plan and the Marina General Plan."
			These adjustments to the BRP were not completed.
Program C-1.5: Each jurisdiction shall designate arterials and roadways in commercially zoned areas as truck routes.	Incomplete	The City has not adopted truck routes. General Plan Policy 3.17 prohibits trucks from residential streets (other than for local delivery).	The City has not specifically designated truck routes within the General Plan or the Municipal Code.  On May 22, 2001, the FORA BoD adopted Resolution No. 2001-05, finding the General Plan to be consistent with the Fort Ord Base Reuse Plan, including finding the Final Environmental Impact Report (EIR) and EIR Addendum to be sufficient for FORA's determination of consistency.

Program A-1.2: Each jurisdiction shall develop a program to identify locations for bus facilities, including shelters and turnouts. These facilities shall be funded and constructed through new development and/or other programs in order to support convenient and comprehensive bus service.	Incomplete ● Ongoing ▲	Local jurisdictions coordinate the location of transit stops with MST. The City does not specifically collect fees for development of transit facilities, although transit facilities can be included within the requirements for frontage improvements.	General Plan Policy 3.23, Design for Transit, requires that, "All future development and redevelopment shall be designed to promote cost-effective local and regional transit service and minimize dependency on the private automobile for work, shopping, recreation, and other trip purposes by requiring bus stops and/or bays in appropriate locations where there are direct transit access routes for pedestrians and bicyclists".  Several other policies also address the provision of bus shelters (Policy 4.84.4, 4.84.5).  General Plan Figure 3.2 shows the transit circulation system including local and regional busses, transit guideway (multi-modal corridor) and future commuter rail options, to guide placement of transit support facilities.  As noted, the City does coordinate the location of transit stops with MST to implement the General Plan, and does require that transit facilities be included within the requirements for frontage improvements, as applicable.
RECREATION AND OPE	N SPACE ELEN	MENT	
Recreation Policy C-1: The [jurisdiction] shall establish an oak tree protection program	Incomplete	This program has not been established.  Note: There are no associated	• COMPLETE  The General Plan Land Use Map shows the Habitat Reserve and Other Opens Space

to ensure conservation of	Programs for this Policy.	System within Marina and how the areas are
existing coastal live oak		linked.
woodlands in large corridors within a comprehensive open space system.		All polygons of oak woodlands shown on BRP Figure 4.4-1 are designated Habitat Reserve and Other Open Space on the Marina General Plan Land Use Map for the purpose of permanently protecting important habitat areas, scenic areas, and other areas of natural open space.
		Several General Plan policies provide protection to these lands (Policies 2.10, 4.114, 4.115, 4.116, 4.117, 4.118, 4.119, 4.120, 4.122, 4.123, 4.123.5).
		On May 22, 2001, the FORA BoD adopted Resolution No. 2001-05, finding the General Plan to be consistent with the Fort Ord Base Reuse Plan, including finding the Final Environmental Impact Report (EIR) and EIR Addendum to be sufficient for FORA's determination of consistency.
		On November 8, 2006 the City Council adopted Resolution No. 2006-284, amending Policy 4.120 which specifically protects all oak woodlands in the City (including those not within the Habitat Reserve polygons), "to the greatest extent possible In areas supporting oak woodland, a site survey of this resource should be completed for all new

subdivisions and commercial projects as part
of a preliminary site and development review.
All stands of oak woodland and individual
specimens with a diameter of 6 inches or more
when measured 4.5 feet from ground level
should be identified on a base map. To the
greatest extent possible, development plans
shall then attempt to incorporate the oak
woodland or individual specimens into the
plan as an integral feature of the natural and
built environment. All oak trees shall be
replaced and maintained with new trees of the
same stock as those found onsite or in the site
vicinity according to the following
replacement formula: a minimum one-for-one
(one replacement tree for each tree removed)
where replacement trees are proposed to be
the same diameter or greater than those to be
removed; a minimum three-to-one (three
replacement trees for each tree removed) for
replacement trees of lesser diameter than
those proposed for removal, unless, as
determined by arborist, the site's specific
environmental conditions would not
sufficiently support a healthy oak habitat. All
diameter measurements shall be taken at 4.5
feet from ground level. Replacement trees
shall be a mixture of sizes".
On January 12, 2007, the FORA BoD adopted

			Resolution No. 2007-02, finding the above General Plan amendment to be consistent with the Fort Ord Base Reuse Plan.  Additionally, Marina Municipal Code Chapter 17.51, Tree Removal, Preservation and Protection, establishes basic standards and measures to preserve and maintain existing trees and to encourage new tree planting, as well as limit and restrict the removal of healthy and desirable trees in the City.  Through these mechanisms, Marina's oak woodlands are fully protected.
Recreation Policy D-4: The [jurisdiction] shall develop a plan for adequate and long-term maintenance for every public park prior to construction.	Incomplete	The parks identified in the BRP have not been constructed.	The City of Marina General Plan outlines policies relating to the provision of parks and recreation for both active and passive recreation, including 527 acres of land in former Fort Ord.  On June 21, 2005, Marina City Council adopted Resolution No. 2005-159, approving the Park and Recreation Facilities Master Plan. Goals, Objectives and Policies address funding for maintenance of the facilities, including through negotiated development agreements for major developments (Policy 6-2); increase in rents and fees for building maintenance (applicable to Water City Roller Hockey)

			(Policy 7-1), requiring major projects to establish funding mechanisms, such as Community Services Districts and Benefit Assessment Districts (Policy 11-1). Additional suggested mechanisms include joint use of recreational facilities whereby City assumes maintenance in exchange for the ability to program activities (Objective 1-3); Public/Private Partnerships whereby the City maintains public ownership of the land and builds the facility, which is operated by the non-profit organization and individuals pay use fees; Public/For Profit Partnerships whereby the City maintains public ownership of the land and the facility is managed for profit.  The City has also prepared a Draft Park and Recreation Facilities Strategic Implementation which addresses the projected cost of maintenance by facility for all public parks. Funding to complete this work was reduced and this plan has not yet been adopted.
Program E-1.2: The City of Marina shall promote the development of a private golf course as an interim land use within the Planned Residential	Incomplete●	Marina Heights Specific Plan was instead approved for that area.  FORA Consistency Determinations with Marina Heights Specific Plan:  5/14/04	NOT APPLICABLE  The program requires that the City of Marina 'promote' development of a golf course, not 'construct' a golf course.  Polygon 4 is identified in BRP Figure 4.4-1 as

District in polygon 4.			an existing Oak Woodland Area. As such it is designated as Habitat Reserve and Other Open Space on the General Plan Land use Map.  The Marina Heights Specific Plan Land Use Map and Specific Plan Policy 2.10 identify the 8.53 acre site as permanently retained in open space to preserve the existing oak grove.  On May 14, 2004, the Fort Ord Board of Directors found the adopted Marina Heights General Plan amendments to be consistent with the Fort Ord Base Reuse Plan.
Program F-2.1: The City shall adopt a Comprehensive Trails Plan, and incorporate it into its General Plan. This Trail Plan will identify desired hiker/biker and equestrian trails within the portion of the former Fort Ord within [jurisdiction's] jurisdiction, create a trail hierarchy, and coordinate trail planning with other jurisdictions within Fort Ord boundaries in order to improve access to parks, recreational facilities and other open space.	Incomplete	Marina has a bicycle and pedestrian plan that includes some "Class I" (offstreet) bicycle/pedestrian facilities.  However, a Comprehensive Trails Plan responding to all the criteria outlined in this program has not been developed.	COMPLETE WITHIN MARINA; FORA NOW ENSURING COORDINATION WITH OTHER JURISDICATIONS  The prelude to City of Marina Recreation Policies and Programs states that, "All physical features discussed in the City of Marina Policies and Program section are shown in Figure 4.3-1, the Marina Open Space and Recreation Element Plan".  Hiker/Biker Trails  The City of Marina General Plan does incorporate the Comprehensive Trails Plan shown in BRP Figure 4.3-1 using the standards for regional and local hiker/biker

trails from the Base Reuse Plan. Details are
shown in General Plan Figure 4.15 and the
Dunes Specific Plan Parks, Multi-Purpose
Trail and Bicycle Circulation Plan; General
Plan Figure 3.3, Pedestrian Network Map,
Figure 3.4, Bicycle Network Map, as well as
General Plan policies related to the proposed
greenway corridor and 8th Street design
(General Plan Policy 4.33).
The City did not adopt the network exactly as shown in the General Plan in that no trail in Marina is planned in the areas designated Habitat Reserve and Other Open Space along the Salinas River and through the UC Reserve.
The majority of such a trail would be in areas designated Habitat Reserve in the Installation-Wide Multi-Species Habitat Management Plan (HMP) (April 1997) that restrict both development and public access.
Development of Parcel S2.1.5 (UC/NRS Fort
Ord Natural Reserve) does not allow a trail. It
is limited to research and teaching activities
for the study of existing natural resources.
Likewise Parcel L5.1.12 (Salinas River Habitat
Area) does not allow a trail. Resource
conservation requirements specify that all
habitat will be preserved in perpetuity.
FORA's Habitat Conservation Plan (HCP)
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planners, biologists and wildlife agency
representatives are currently reviewing the
feasibility of incorporating this trail link within
the draft HCP.
On May 22, 2001, the FORA BoD adopted
Resolution No. 2001-05, finding the General
Plan to be consistent with the Fort Ord Base
Reuse Plan, including finding the Final
Environmental Impact Report (EIR) and EIR
Addendum to be sufficient for FORA's
determination of consistency.
Section 8 of the Resolution states that, "The
Board finds that Chapter 8 of the FORA
Master Resolution should be adjusted within
180 days to clarify and eliminate any potential
inconsistency between the Base Reuse Plan
and the Marina General Plan."
These adjustments to the BRP were not
completed.
Equestrian Trails
Marina's General Plan does not show any
equestrian trails within the City of Marina City
Limits nor does Base Reuse Plan Figure 4.3-1.
Marina General Plan Policy 3.39 supports the
linking of equestrian facilities in Marina to a
system of equestrian trails on nearby BLM
lands and other areas of former Fort Ord.

			This is premised that, "To avoid conflicts between horses and vehicles, the existing equestrian facilities north of 8th Street should be relocated south of Imjin Road when major improvements are made to that roadway."  Thus the trails are not shown in the BRP to connect to the site of the current equestrian center as both the BRP and Marina General Plan recognize that as an interim facility.
Recreation Policy G-1: The [jurisdiction] shall use incentives to promote the development of an integrated, attractive park and open space system during the development of individual districts and neighborhood's [sic] within the former Fort Ord (to encourage recreation and the conservation of natural resources).	Incomplete	No park development incentives are known to have been developed.	The City of Marina has been successful in negotiating development agreements for three strategic projects (Dunes on Monterey Bay, Cypress Knolls and Marina Heights) on the former Fort Ord whereby provision of recreational facilities and conservation of natural resources are optimized.  Based on a successful application, the Dunes on Monterey Bay was recognized through California Sustainable Strategies Pilot Program as a 'Silver Catalyst' award winner in part for its inclusion of 42 acres of City parks, open space, linear parks and trails.  To implement this, on July 1, 2014, the City of Marina was informed of a successful application and receipt of a \$456,000 Housing and Community Development grant award for

			our City park in the Dunes development. This is a grant we received because of the University Villages affordable housing project under the Housing-Related Parks Program. According to HCD, "The 2013 round of funding incentivized a total of 20,533 affordable units in communities across California and will provide \$73,605,250 for park-related projects statewide."  The City of Marina, through its staff, Tree Committee, Site and Architectural Design Review Board and Planning Commission has also been successful in negotiating site designs that preserve all existing trees and where infeasible, relocate the trees on-site (for example, CHOMP, AMCAL's Promontory and the Veterans Affairs/DOD Clinic).
Recreation Policy G-2: The [jurisdiction] shall encourage the creation of private parks and open space as a component of private development within the former Fort Ord.	Incomplete	No programs to encourage private park development are known.	General Plan Policy 2.18 requires that new parks and playgrounds shall be provided in conjunction with new residential development in accordance with the level of service standards (land area and service area) of Table 2.2. Private park types include subneighborhood parks, playgrounds and neighborhood parks.
Recreation Policy G-4: The [jurisdiction] shall coordinate the	Incomplete	There are no known programs for coordination of parklands.	COMPLETE  During development of the Pedestrian and

development of park and recreation facilities with neighboring jurisdictions including the City of Seaside, Monterey County, CSUMB, CA State Parks, MPRPD, and BLM.			Bicycle Network Map prepared for the Pedestrian and Bicycle Master Plan and adopted in the General Plan (February 2, 2010), City staff examined adopted pedestrian and bicyclist facilities plans under the purview of the Transportation Agency for Monterey Bay, California Department of Transportation, California Department of Parks and Recreation, California State University Monterey Bay, Association of Monterey Bay Area Governments, Fort Ord Reuse Authority, Bureau of Land Management, City of Seaside, County of Monterey.  The Park and Recreation Facilities Master Plan recommends shared facilities and improvement of joint use agreements as a
CONSERVATION - HYDE	ROLOGY AND	WATER QUALITY	means of mutual meeting recreational goals.
Program B-1.5: The [jurisdiction] shall promote the use of on-site water collection, incorporating measures such as cisterns or other appropriate improvements to collect surface water for in-tract irrigation and other non-	Incomplete	The Marina Coast Water District water conservation ordinance does not include these provisions.	ONGOING  The City of Marina successfully promotes development of LEED or LEED equivalent buildings for all of its projects, including on former Fort Ord.  General Plan Policy 4.125 requires protection of water resource quality, avoidance of unnecessary consumption of water, and assurance that adequate water resources are

potable use.			available for new development. Recent projects CHOMP, Rockrose Gardens, AMCAL's Promontory, VA Clinic and the forthcoming LDS Church and Marriott Hotel are all LEED equivalent.  LEED includes points for efficiency for landscape irrigation which may be through drip irrigation, timed irrigation, and xeriscape, gray water reuse for irrigation, and rainwater harvesting, which qualifies for a full point under the LEED process.
Program C-4.1: The City, in consultation with the Natural Resources Conservation Service, shall develop a program that will provide, to every landowner, occupant, and other appropriate entities information concerning vegetation preservation and other best management practices that would prevent siltation of waterways in or downstream of the former Fort Ord.	Incomplete	This program has not been developed.	The banks of the Salinas River, which form the eastern boundary of a portion of the City are designated as Habitat Reserve and Other Open Space on the General Plan Land Use Map and zoned Open Space District on the City's Zoning Map. The Salinas River is the only waterway within Marina within the former Fort Ord.  There are two owners of these properties: City of Marina and Mr. Bart Bruno. A meeting has not yet been organized with Mr. Bruno to specifically discuss the means to prevent siltation of the river.

CONSERVATION - BIOLOGICAL RESOURCES			
Program A-1.2: The City shall monitor, or cause to be monitored, the Salinas River Habitat Area in accordance with the HMP Implementing/Management Agreement and submit annual monitoring reports to CRMP.	Incomplete	Annual monitoring reports have not been submitted to CRMP.	The City of Marina has protected the Salinas River Habitat Area through designating the area as Habitat Reserve and Other Open Space on the General Plan Land Use Map and zoning the property Open Space District on the City's Zoning Map.  The Installation-Wide Multi-Species HMP requires, " management of the parcel to maintain existing habitat values for the HMP species. The City of Marina may (versus shall) contract with an appropriate and qualified CRMP agency or other appropriate and qualified agency, as approved by the USFWS, to manage natural resources on the parcel."  Please provide an executed copy of the HMP Implementing/Management Agreement to clarify this requirement.
Program A-1.3: The City may contract with an appropriate CRMP agency (or other such agency as approved by USFWS) to manage natural resources within the polygon.	Incomplete	The City has not contracted for the management of the Salinas River Habitat Area.	● INCOMPLETE  This program states that the City may, not shall contract to do this work.  Please provide an executed copy of the HMP Implementing/Management Agreement to clarify this requirement.

Program A-2.1: The City shall submit to the USFWS and CDFG, through the CRMP program, a plan for implementation of both short-term and long-term habitat management and protection measures for the Marina Habitat Area #2, including consideration of funding sources, legal mechanism, and a time table to provide for prompt implementation of HMP requirements along with the following actions to prevent degradation of habitat:  Control of off-road vehicle use.  Prevention of any unauthorized disturbance to the habitat.  Prevention of the spread of non-native, invasive species that may displace native habitat.	Incomplete	An implementation plan has not been prepared or submitted to the USFWS or CDFG for the Airport Reserve habitat management area.	There is no mention in the HMP of a Marina Habitat Area #2. This response assumes that the reference is to the Fritzsche Army Airfield Development and Reserve Parcels L5.1, L51.11 and L5.1.12.  For Parcel L5.1.11, the HMP allows for FAA required airport support facilities and a sixlane road to be constructed. It specifies that, "All remaining habitat within Parcel L5.1.11 after construction of these facilities will be preserved in perpetuity." "Habitat remaining in Parcel L5.1.11 after development will be managed to maintain existing habitat values for HMP species." This road construction has not occurred. Thus, the Implementation Plan would follow construction.  There is only one uncontrolled access to this parcel, off the Marvin/Jefferson Ranch access easement, which is not barricaded. The remainder of the Marina Habitat Area #2 is fully fenced.
Program A-2.2: Development in this parcel shall be limited to FAA-required airport support facilities (navigational aids, access, and utilities), as well as a six-lane road through the area. Prior	Incomplete •	FORA Consistency Determination with Marina Municipal Airport Redevelopment Plan:10/10/97; FORA Consistency Determinations with Marina General Plan & Zoning Code:	ONGOING  Development within this parcel has not occurred. FORA consulting biologists, FORA staff and City staff are currently discussing realignment of parcel boundaries at Marina Airport to accommodate the long term access and development needs through the HMP.

to proceeding with the design of allowable facilities, the City shall evaluate alternatives in coordination with a qualified biologist to ensure that the design and/or alignment is environmentally sensitive.		3/22/01, 5/13/05, 8/12/11  The development limitations and land use designations were completed.  However, development has not occurred in Polygon 1b and, therefore, the design of the allowable facilities or road alignment has not been evaluated. Further, the Draft HCP proposes that no development would be permitted in Polygon 1b and the proposed road alignment would occur within the adjacent development parcel.	
Program A-2.3: The City shall ensure that gates or vehicle barriers are constructed along access roads to prevent unauthorized off-road vehicle travel within the Habitat Area.	Incomplete	See Above; barriers have not been constructed.	There is only one uncontrolled access to this parcel, off the Marvin/Jefferson Ranch access easement, which is not barricaded. The remainder of the Marina Habitat Area #2 is fully fenced.
Program A-2.4: The City shall maintain, or cause to be maintained, small areas within the Habitat Area with disturbed sandy soils to support Monterey spineflower habitat.	Incomplete	See Above; the implementation plan has not been prepared.	For Parcel L5.1.11, the HMP allows for FAA required airport support facilities and a six-lane road to be constructed. It specifies that, "All remaining habitat within Parcel L5.1.11 after construction of these facilities will be preserved in perpetuity." "Habitat remaining in Parcel L5.1.11 after development will be managed to maintain existing habitat values

			for HMP species." This road construction has not occurred. Thus, the Implementation Plan would follow construction.
Program A-2.5: The City shall monitor, or cause to be monitored this conservation area in accordance with the HMP Implementing/Management Agreement and submit annual monitoring reports to CRMP.	Incomplete	Annual monitoring reports have not been submitted to the Coordinated Resource Management and Planning program.	• INCOMPLETE  Annual monitoring reports have not been submitted to the Coordinated Resource Management and Planning program.
Program A-2.6: The City may contract with an appropriate CRMP agency (or other such agency as approved by USFWS) to manage natural resources within the polygon.	Incomplete	The City has not contracted for the management of the Airport habitat management area.	• INCOMPLETE  The City has not contracted for the management of the Airport habitat management area.
Program A-3.3: The City shall monitor, or cause to be monitored this preserve in accordance with the HMP Implementing/Management Agreement and submit annual monitoring reports to CRMP.	Incomplete	Annual monitoring reports, or the annual survey reports completed thus far, have not been submitted to the Coordinated Resource Management and Planning program.	• INCOMPLETE  Annual monitoring reports, or the annual survey reports completed thus far, have not been submitted to the Coordinated Resource Management and Planning program.
Program A-4.1: The City shall install or require the installation of a barrier	Incomplete	Barriers to prevent access to all habitat areas have not been constructed to date. Fencing has been installed	• INCOMPLETE  As noted, there is only one uncontrolled access to this parcel, off the Marvin/Jefferson

sufficient to prevent vehicle access to all habitat conservation and corridor areas within its jurisdiction.  Barriers are to be erected on the parcels adjacent to the conservation and corridor areas and area to be maintained in perpetuity. The barrier erected to protect the habitat corridor in Polygon 5c shall also be sufficient to strongly discourage pedestrian access.		around FONR, but barriers to the Salinas River HMA and Airport HMA have not been constructed.	Ranch access easement, which is not barricaded. The remainder of the Marina Habitat Area #2 is fully fenced.  The only potential access to the Salinas River Habitat Area is trespassing across private property. The access easement needs to remain open to accommodate the private landowners who use it to access their properties.
Program A-6.1: The City shall encourage the use of native vegetation for landscaping, either as preserved during construction or planted as part of a landscaping plan after construction.	Incomplete	The Community Park has not been designed or constructed.	• INCOMPLETE  This item in the Base Reuse Plan references the Community Park north of Imjin Road and south of the Marina Heights Specific Plan area. This park has not been designed or constructed.
Program C-2.2: Where development incorporates oak woodland elements into the design, the [jurisdiction] shall provide the following standards for plantings that may occur under oak trees; 1)	Incomplete	The City's tree ordinance, Chapter 17.51 of the municipal code, does not specifically address oak trees or oak woodland.	All polygons of oak woodlands shown on BRP Figure 4.4-1 are designated Habitat Reserve and Other Open Space on the Marina General Plan Land Use Map for the purpose of permanently protecting important habitat areas, scenic areas, and other areas of natural

planting may occur within the dripline of mature trees, but only at a distance of five feet from the trunk and 2) plantings under and around oaks should be selected from the list of approved species compiled by the California Oaks Foundation (see Compatible Plants Under and Around Oaks).			open space.  Several General Plan policies provide protection to these lands (Policies 2.10, 4.114, 4.115, 4.116, 4.117, 4.118, 4.119, 4.120, 4.122, 4.123, 4.123.5).  Chapter 17.51 is not applicable to this issue as that chapter addresses tree removal and relocation which would occur on development sites only.  The City of Marina Landscape Guidelines and Standards (August 21, 2001) express a preference for native flora, particularly oak trees and allow the plant species selection to be accomplished by consultation with experienced landscape designers, landscape architects, area nurseries and/or landscape contractors. As the two BRP suggestions are discretionary, not mandatory, i.e. state 'may' occur and 'should' be selected, to change the Landscape Guidelines to address the 'requirement' would not necessarily result in
			any change.
Program D-2.1: The	Incomplete	Interpretive signs have not been	• INCOMPLETE
[jurisdiction] shall develop interpretive signs for		installed.	Interpretive signs have not been installed
placement in habitat			within Habitat Management Areas on the
management areas. These			former Fort Ord (Marina Reserve #2). These
signs shall describe the			areas are in large, access restricted.
resources present, how they			
resources present, now they			

are important to the former			
Fort Ord, and ways in which			
these resources are or can be			
protected.			
Program E-1.1: The	Incomplete	An implementation plan has not been	• INCOMPLETE
[jurisdiction] shall submit to		completed.	An implementation plan has not been
the USFWS and CDFG,			completed. See previous discussions.
through CRMP, a plan for			
implementation of short-			
term habitat management for			
all natural lands, including			
consideration of funding			
sources, legal mechanisms			
and a time table to provide			
for prompt implementation			
of the following actions to			
prevent degradation of			
habitat:			
<ul> <li>Control of off-road</li> </ul>			
vehicle use in all			
undeveloped natural			
land areas.			
<ul><li>Prevent any</li></ul>			
unauthorized			
disturbance in all			
undeveloped natural			
land areas, but			
especially in			
designated			

conservation areas and habitat corridors.  Prevent the spread of non-native, invasive species that may displace native habitat.			
Program E-1.2: For natural lands areas under [jurisdiction] responsibility with partial or no HMP resource conservation or management requirements, the [jurisdiction] shall annually provide the BLM evidence of successful implementation of interim habitat protection measures specified in Program E-1.1.	Incomplete	Annual monitoring reports have not been submitted to BLM.	• INCOMPLETE  Annual monitoring reports have not been submitted to BLM.
Program E-2.1: The [jurisdiction] shall conduct Land Use Status Monitoring in accordance with the methods prescribed in the Implementing Agreement for Fort Ord land under [jurisdiction] responsibility that has any natural lands identified by the baseline	Incomplete	Annual reports have not been prepared. Individual managers (i.e. University of California, California Department of Parks and Recreation) engage in monitoring.	• INCOMPLETE  Annual reports have not been prepared.

studies. This monitoring will provide data on the amount (in acres) and location of natural lands (by habitat type) disturbed by development since the date of land transfer for as long as the Implementing Agreement is in effect.  NOISE ELEMENT			
Program A-1.1: The City shall adopt the land use compatibility criteria for exterior community noise shown in Table 4.5-3 for application in the former Fort Ord.	Incomplete	2000 Marina General Plan Table 4.1 presents the City's noise criteria. The City's noise criteria are 5 dBA higher for several categories of land use (residential, hotel, live-work, office, industrial) compared to Fort Ord Reuse Plan Table 4.5-3, but are found to be consistent with the BRP.	As noted the criteria adopted by Marina in its General Plan are more stringent than the criteria proposed by FORA. These criteria were developed through the environmental review process, for which FORA acted as a Responsible Agency.  On May 22, 2001, the FORA BoD adopted Resolution No. 2001-05, finding the General Plan to be consistent with the Fort Ord Base Reuse Plan, including finding the Final Environmental Impact Report (EIR) and EIR Addendum to be sufficient for FORA's determination of consistency.
Program A-1.2: The City shall adopt a noise ordinance to control noise from non-transportation sources,	Incomplete	Marina Municipal Code Chapter 9.24 and Chapter15.04 control noise in Marina. The Chapter does not include specific noise performance standards	• COMPLETE  The City's adopted noise performance standards are appropriately located within the Marina General Plan as substantiated by

including construction noise, that incorporates the performance standards shown in Table 4.5-4, for application in the former Fort Ord.		because it is addressed in the CEQA process.	technical studies in the EIR. Mitigation Measures in the EIR require site specific noise studies be prepared and construction noise abated.  Marina Municipal Code Section 9.24.040 does regulate noise from non-transportation sources, including construction noise. MMC Section 15.04.055 also regulates construction hours and noise.
Program B-1.1: The [jurisdiction] shall develop and implement a program that identifies currently developed areas that are adversely affected by noise impacts and implement measures to reduce these impacts, such as constructing noise barriers and limiting the hours of operation of the noise sources.	Incomplete	The jurisdictions investigate noise effects of proposed projects on existing development through the environmental review process, consistent with general plan policies, but do not proactively address existing noise issues at existing developments.	Program B-1.1 addressed <u>currently</u> developed areas, which would be relevant to the adoption date of the Base Reuse Plan, 1997. There are no known, unresolved noise issues from 1997.  Noise is controlled through the Municipal Code whereby violators and subject to Code Compliance activities. MMC Chapter 9.24 establishes policy to protect citizens from excessive, unnecessary or unusually loud noises and vibrations from any and all sources in the community. MMC Section 15.04.055 regulates construction hours and noise.  There is currently one known noise issue within the former Fort Ord and City staff are working with the violator to address the issue.  As noted, all <u>new</u> projects are mitigated in accordance with the provisions of the

			California Environmental Quality Act.
Noise Policy B-3: The City shall require that acoustical studies be prepared by qualified acoustical engineers for all new development that could result in noise environments above noise range I (normally acceptable environment), as defined in Table 4.5-3. The studies shall identify the mitigation measures that would be required to comply with the noise guidelines, specified in Tables 4.5- 3 and 4.5-4, to ensure that existing or proposed uses will not be adversely affected. The studies should be submitted prior to accepting development applications as complete.	Incomplete	The jurisdictions prepare noise studies as part of the environmental review of projects. The noise studies are based on each jurisdiction's noise standards, which vary from those of the Fort Ord Reuse Plan (see Program A-1.1 and A-1.2 above), however, found to be consistent under the General Plan.	As noted the criteria adopted by Marina in its General Plan are more stringent than the criteria proposed by FORA. These criteria were developed through the environmental review process, for which FORA acted as a Responsible Agency.  On May 22, 2001, the FORA BoD adopted Resolution No. 2001-05, finding the General Plan to be consistent with the Fort Ord Base Reuse Plan, including finding the Final Environmental Impact Report (EIR) and EIR Addendum to be sufficient for FORA's determination of consistency.
SAFETY SEISMIC AND	GEOLOGIC H	AZARDS	
Program A-1.2: The [jurisdiction] shall establish setback requirements for new construction, including critical and sensitive facilities, for each seismic hazard zone with a minimum of 200 feet setback to a maximum of one quarter (1/4)	Incomplete	The Alquist-Priolo Act requires fault line setbacks for occupied buildings; however, there are no Alquist-Priolo faults within Fort Ord. The Reliz, Ord Terrace, and Seaside Faults cross portions of Fort Ord, but are not included within the Alquist-Priolo	• COMPLETE  Within Marina there are two locations identified on Figure 4.6-1, Seismic Hazards of the Fort Ord Base Reuse Plan that demonstrate high and very high ground shaking potential. Identified areas within the

mile setback from an active	program. The City of Marina has not	Coastal Zone are designated as Habitat
seismic fault. Critical and	adopted a fault zone setback	Reserve and Other Open Space (State Parks
sensitive buildings include all	requirement.	lands), Parks and Recreation (State Parks lands
public or private buildings		where Stillwell Hall once stood) and Public
essential to the health and safety		Facilities (at the location of the existing
of the general public, hospitals,		MCWD pump station) and are classified as
fire and police stations, public		Open Space District on the Zoning Map.
works centers, high occupancy		
structures, schools, or sites		There is only one structure in this stretch of
containing or storing hazardous materials.		sand dunes. Any proposed new uses would be
materials.		Conditional Uses and require a Coastal
		Development Permit thus are subject to
		consistency with the General Plan, Local
		Coastal Program and CEQA requirements,
		including geotechnical investigation for site
		specific project proposals.
		Marina General Plan Policy 4.102.1 ensures
		that critical or sensitive facilities are located,
		designed and operated to maximize their
		ability to remain functional after the expected
		or maximum credible event on any of the local
		active fault systems. Critical facilities shall not
		be located in areas of high to very high seismic
		shaking hazard.
		According to the Marina General Plan EIR,
		the existence of the Reliz/Gabilan/King City
		fault shown on BRP Figure 4.6-1 paralleling
		Reservation Road is speculative. Based on
		numerous citations, General Plan EIR
		consultants, Nolan Associates states that,

			"no two researchers have placed the fault in the same area", and "there is no evidence for a northward continuation of the King City fault in subsurface data compiled for the many groundwater studies conducted in Marina, Fort Ord and Seaside areas (U.S. Army Corps of Engineers, 1975; Harding-Lawson, 1994; Feeny, 1998)". General Plan EIR Figure 4.5 identifies no areas of high ground shaking potential in the inland areas of former Fort Ord.  This information was provided during the environmental review process, for which FORA acted as a Responsible Agency.  On May 22, 2001, the FORA BoD adopted
			Resolution No. 2001-05, finding the General Plan to be consistent with the Fort Ord Base Reuse Plan, including finding the Final Environmental Impact Report (EIR) and EIR Addendum to be sufficient for FORA's determination of consistency.
Program C-1.1: The [jurisdiction] shall identify city emergency evacuation routes and emergency response staging areas with those of the (City of Seaside, City of Marina, and the County of	Incomplete	The City of Marina does not have adopted evacuation routes.	• INCOMPLETE  The City of Marina does not have adopted evacuation routes.

Monterey), and shall adopt the Fort Ord Evacuation Routes Map (See Figure 4.6-2) as part of the [jurisdiction's] emergency response plans.  Program C-1.3: The	Incomplete	The City of Marina has not prepared an	<ul><li>ONGOING</li></ul>
[jurisdiction] shall identify a "critical facilities" inventory, and in conjunction with appropriate emergency and disaster agencies, establish guidelines for operations of such facilities during an emergency.		inventory or operations plan for critical facilities.	On August 3, 1999, the City of Marina adopted the California Standardized Emergency Management System (SEMS) for emergency management. On May 16, 2006, by Resolution No. 2006-115, the City of Marina adopted the National Incident Management System (NIMS).  On August 8, 2012, by Resolution No. 2012-121, the City of Marina approved a Memorandum of Agreement (MOA) between the City of Marina, the California State University Monterey Bay (CSUMB) and the City of Seaside for the cooperative use of the CSUMB Emergency Operations Center (EOC) as the Monterey Peninsula Regional Emergency Operation Center. A regional staging area is part of the shared EOC.  Marina continues to participate with other emergency and disaster agencies in the maintenance of a Multi-Jurisdictional Hazard Mitigation Plan. Appendix N of the effective

document (2007; Resolution No 2007-219)
identifies critical facilities within the City of
Marina. This list of critical infrastructure has
been imported into WEB EOC. The Multi-
Jurisdictional Hazard Mitigation Plan has
recently been updated (2014) and is at the
State Department for review.