



FORT ORD REUSE AUTHORITY

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SPECIAL MEETING

FORT ORD REUSE AUTHORITY BOARD OF DIRECTORS

Monday, November 2, 2015 12:00-2:30 PM
910 2nd Avenue, Marina, CA 93933 (Carpenters Union Hall)

AGENDA

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. ANNOUNCEMENTS

5. PUBLIC COMMENT PERIOD

Individuals wishing to address Board jurisdiction matters not on this agenda, may do so during this period for up to three minutes. Specific agenda item comments are heard under that item.

6. BUSINESS ITEMS

- a. Water Augmentation Program Planning -3 Party Planning ACTION
Resolution 2nd Vote

- b. **WORKSHOP:** Regional Urban Design Guidelines (RUDG) INFORMATION
(The Board may choose to direct staff/RUDG Task Force regarding format, content, timing, or process leading to RUDG adoption at a future meeting)

7. ADJOURNMENT

NEXT BOARD MEETING: FRIDAY, NOVEMBER 13, 2015

Persons seeking disability related accommodations should contact FORA 48 hrs prior to the meeting. This meeting is recorded by Access Monterey Peninsula and televised Sundays at 9 a.m. and 1 p.m. on Marina/Peninsula Chanel 25. The video and meeting materials are available online at www.fora.org.

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject:	Water Augmentation Program Planning – 3-Party Planning Resolution 2 nd Vote	
Meeting Date:	November 2, 2015	ACTION
Agenda Number:	6a	

RECOMMENDATION(S):

Take a 2nd vote to adopt resolution 15-XX to authorize Fort Ord Reuse Authority (FORA) participation in three-party joint water augmentation planning (**Attachment A**).

BACKGROUND:

FORA is responsible for securing augmented water to mitigate its 1997 Base Reuse Plan (BRP) impacts. To carry out this responsibility, FORA has a \$24 million line item in its Capital Improvement Program as a BRP California Environmental Quality Act (CEQA) mitigation for Fort Ord Water Augmentation. One potential project that FORA might apply its Fort Ord Water Augmentation funding toward is a conceptual delivery of advanced treated water to Fort Ord through the regional Monterey Regional Water Pollution Control Agency (MRWPCA) treatment plant. For such a project to work, FORA, Marina Coast Water District (MCWD), and MRWPCA would agree to jointly achieve their individual projects by applying collective resources.

DISCUSSION:

The MCWD-FORA Water/Wastewater Facilities Agreement designates FORA as the agency (in consultation with MCWD) in charge of planning for future water augmentation facilities. Individual FORA Board members have promoted the concept that FORA evaluate all potential water augmentation options (recycled, conservation, etc.). Staff requests Board authorization to conduct water augmentation planning in collaboration with MCWD and MRWPCA through adoption of a resolution. Adoption of the resolution would:

1. Revise the CIP to allocate \$157,000 in FY 15/16 allowing FORA to participate in joint water augmentation planning with MCWD and MRWPCA;
2. Allow FORA to commit up to 1/3 (approximately \$157,000) to jointly fund the planning process. The total cost of planning will not exceed \$470,000; and
3. Clarify roles. All three agencies provide a portion of funding, participate in consultant selection, and coordinate at the staff level. Information generated in the planning process will be used to formulate policy recommendations and CIP expenditures that will be brought back to the FORA Board for approval.

At its October 9, 2015 meeting, a majority of the FORA Board voted in favor of the three-party joint water augmentation planning resolution. In accordance with FORA procedures, the motion requires a second vote for approval.

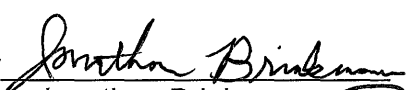
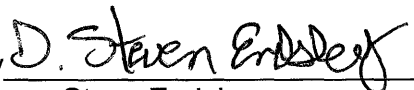
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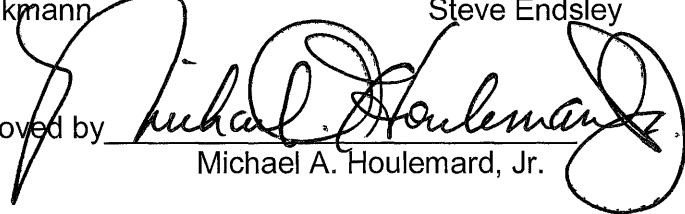
Reviewed by FORA Controller 

Staff time for this item is included in the approved FORA budget. If the Board adopts the resolution authorizing FORA participation in three-party joint water augmentation planning, a budget allocation of \$157,000 would be programmed to the FY 15-16 Capital Improvement Program Budget (Water Augmentation line item) to accomplish this activity.

COORDINATION:

MCWD, MRWPCA, Administrative and Executive Committees.

Prepared by  Reviewed by 
Jonathan Brinkmann Steve Endsley

Approved by 
Michael A. Houlemard, Jr.

**FORT ORD REUSE AUTHORITY
Resolution 15-xx**

Resolution of the Fort Ord Reuse Authority Board to authorize Fort Ord Reuse Authority participation in three-party joint water augmentation planning.

THIS RESOLUTION is adopted with reference to the following facts and circumstances:

- A. Pursuant to Section 3.2.2 of the 1998 Water/Wastewater Facilities Agreement ("Facilities Agreement"), the Fort Ord Reuse Authority ("FORA") has determined that new additional facilities capable of delivering 2,400 acre-feet per year ("AFY") of water for the redevelopment of the Fort Ord Community are required; and
- B. Pursuant to Section 3.2.1 of the Facilities Agreement, the Marina Coast Water District ("MCWD") is required to plan, design, and construct the new water facilities; and
- C. Pursuant to Section 7.1.2 of the Facilities Agreement, MCWD must be allowed to recover all of its direct and indirect, short term and long term costs of the new water facilities; and
- D. The FORA and MCWD Board of Directors approved the recycled/desalinated two component recommendation to implement the Fort Ord Water Augmentation Program ("Hybrid Alternative") on June 10, 2005 at a joint meeting of the Boards to provide 2,400 AFY of water for the redevelopment of the Fort Ord Community; and
- E. FORA's adopted Fiscal Year 2015/2016 and 2014/2015 Capital Improvement Program discussion on water augmentation states, "MCWD is still contractually obligated to provide an augmented source for the former Fort Ord as distinct from the Regional Project. The proposed CIP defaults to the prior Board approved 'hybrid' project that MCWD has performed CEQA for and is contractually obligated to implement"; and
- F. MCWD is working collaboratively with FORA and with the Monterey Regional Water Pollution Control Agency ("MRWPCA") to carry out MCWD's contractual obligation to provide 1,427 AFY of recycled water for the Ord Community; and
- G. MCWD Interim General Manager Bill Kocher wrote a July 13, 2015 letter to the FORA Executive Officer providing notice that the MCWD Board determined not to adopt FORA's proposed resolutions and submitted the matters to dispute resolution in accordance with Section 10.1 of the Facilities Agreement
- H. MCWD General Manager Keith Van Der Maaten wrote an August 4, 2015 letter to the FORA Executive Officer accepting FORA's request to do joint planning for the Regional Urban Water Augmentation Project ("RUWAP").
- I. An element of the process is that FORA and MCWD would conduct water augmentation with MRWPCA collaboration to explore water augmentation options

J. General principles to the three-party joint water augmentation planning include:

1. Explore most cost and technically efficient mix of reclaimed (tertiary), advance treatment (pure water); conservation; desal; and other water sources.
2. Emphasize economies of scale that lower the cost burden on ratepayers and end users.
3. MRWPCA, MCWD and FORA would contribute up to \$157,000 each to the planning process, MCWD will lower its planning line item to \$157,000 from \$470,000.
4. FORA Board endorses three-party RUWAP Planning process based on consultation with MRWPCA and MCWD.
5. All agreements on funding, budgeting, CEQA processing, and other deal points will be returned to the three Boards for specific approvals.
6. FORA commits to actively discuss how its mitigation dollars may, in part, be applied to the RUWAP process, at all times subject to specific Board approval.

K. The intended result of the planning study would be to present recommended options to the FORA, MCWD, and MRWPCA Boards to inform them of options and request direction.

NOW THEREFORE the Board hereby resolves that:

1. The Board approves of a planning process designed to provide detailed analysis and a report leading to an "all of the above" approach to satisfying the Fort Ord Water Augmentation Program as an acceptable resolution to the budget dispute.
2. The Board approves revisions to the CIP to move \$157,000 from FY 18/19 to FY 15/16 (**Exhibit A**) for Water Augmentation, allowing FORA to participate in joint water augmentation planning with MCWD and MRWPCA.
3. The Board authorizes the Executive Officer to expend up to \$157,000 (approximately 1/3 of the total costs) to jointly fund the water augmentation planning process. The total cost of planning will not exceed \$470,000 after adding together FORA, MCWD, and MRWPCA's contributions.

- 4. FORA will provide a portion of funding, participate in consultant selection, and coordinate at the staff level.

Upon motion by _____, seconded by _____, the foregoing Resolution was passed on this ___ day of _____, _____, by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

DRAFT

Mayor Pro Tem Frank O'Connell, Chair

ATTEST:

Michael A. Houlemard, Jr., Secretary

Exhibit A

SUMMARY OF CAPITAL IMPROVEMENT PROGRAM 2015/16 - POST FORA

	2005-15	2015-16	2016-17	2017-18	2018-19	2019-20	Post FORA	2015-16 to Post FORA Total
A. CIP PROJECTS FUNDED BY CFD DEVELOPMENT FEES								
Dedicated Revenues								
Development Fees	28,387,335	5,585,000	11,906,000	15,356,000	23,344,000	31,653,000	78,632,000	166,476,000
Other Revenues								
Property Taxes	5,796,078	379,468	553,386	1,082,753	1,747,155	2,740,170	-	6,502,932
Loan Proceeds (1)	7,926,754	-	-	-	-	-	-	-
Federal Grants (2)	6,426,754	-	-	-	-	-	-	-
CSU Mitigation fees	2,326,795	-	-	-	-	-	-	-
Miscellaneous (Rev Bonds, Interest, CFD credit)	3,578,191	70,000	-	-	-	-	-	70,000
TOTAL REVENUES	54,441,907	6,034,468	12,459,386	16,438,753	25,091,155	34,393,170	78,632,000	173,048,932
Expenditures								
Projects								
Transportation/Transit	34,167,503	2,700,000	5,000,000	19,998,684	31,074,516	21,714,446	40,407,872	120,895,516
Water Augmentation [CEQA Mitigation]	561,780	157,000	1,590,600	1,535,600	2,177,400	3,165,300	15,389,748	24,015,648
Storm Drainage System [Completed by 2005]	[Table 1]	-	-	-	-	-	-	-
Habitat Management	7,665,830	1,756,670	3,595,612	4,637,512	7,049,888	6,144,144	9,150,344	32,334,170
Fire Rolling Stock	1,160,000	-	-	-	-	-	-	-
Total Projects	43,555,113	4,613,670	10,186,212	26,171,796	40,301,804	31,023,890	64,947,964	177,245,334
Other Costs & Contingency (3)								
Additional CIP Costs	3,034,400	-	-	-	-	-	18,134,327	18,134,327
Habitat Mgt. Contingency	930,874	91,433	-	-	-	-	20,283,097	20,374,530
CIP/FORA Costs	1,325,690	605,953	400,000	400,000	400,000	395,491	-	2,201,444
Property Tax Sharing Costs	-	37,947	55,339	108,275	174,716	274,017	-	650,293
Other Costs (Debt Service) (4)	5,595,830	-	-	-	-	-	-	-
Total Other Costs & Contingency	10,886,794	735,333	455,339	508,275	574,716	669,508	38,417,424	41,360,595
TOTAL EXPENDITURES	54,441,907	5,349,003	10,641,551	26,680,071	40,876,520	31,693,398	103,365,388	218,605,929
Net Annual Revenue		685,466	1,817,835	(10,241,319)	(15,785,364)	2,699,772	(24,733,388)	(45,556,997)
Beginning Balance	-	-	685,466	2,503,301	(7,738,017)	(23,523,382)	(20,823,609)	(45,556,997)
Ending Balance CFD & Other	-	685,466	2,503,301	(7,738,017)	(23,523,382)	(20,823,609)	(45,556,998)	(45,556,997)
B. CIP PROJECTS FUNDED BY LAND SALE REVENUES								
Dedicated Revenues								
Land Sales (5)	49,221,940	485,000	2,127,606	9,370,287	14,908,759	9,829,367	12,829,326	49,550,343
Land Sales - Credits	6,767,300	-	6,750,000	-	-	-	12,659,700	19,409,700
Other Revenues (6)	1,425,000	-	-	-	-	-	-	-
Loan Proceeds (1)	7,500,000	3,000,000	-	-	-	-	-	3,000,000
Total Revenues	64,914,240	3,485,000	8,877,606	9,370,287	14,908,759	9,829,367	25,489,026	71,960,043
Expenditures								
Projects								
Building Removal	28,767,300	6,500,000	6,750,000	-	-	-	12,659,700	25,909,700
Other Costs (Loan Pay-off, Debt Financing)	17,817,383	69,500	1,560,000	1,560,000	-	-	-	3,189,500
TOTAL PROJECTS	46,584,683	6,569,500	8,310,000	1,560,000	-	-	12,659,700	29,099,200
Other Costs & Contingency (7)								
Transfer to FORA Reserve	-	10,000,000	-	-	-	-	-	10,000,000
Building Removal Contingency	-	5,000,000	-	-	-	-	-	5,000,000
Total Other Costs & Contingency	-	15,000,000	-	-	-	-	-	15,000,000
TOTAL EXPENDITURES	46,584,683	21,569,500	8,310,000	1,560,000	-	-	12,659,700	44,099,200
Net Annual Revenue	18,329,557	(18,084,500)	567,606	7,810,287	14,908,759	9,829,367	12,829,326	46,190,400
Beginning Balance	-	18,329,557	245,057	812,662	8,622,949	23,531,708	33,361,074	46,190,400
Ending Balance Land Sales & Other	18,329,557	245,057	812,662	8,622,949	23,531,708	33,361,074	46,190,400	46,190,400
TOTAL ENDING BALANCE-ALL PROJECTS		930,523	3,315,964	884,932	8,326	12,537,465	633,402	633,403

TABLE 3

FORT ORD REUSE AUTHORITY BOARD REPORT

BUSINESS ITEMS

Subject:	WORKSHOP: DRAFT Regional Urban Design Guidelines	
Meeting Date:	November 2, 2015	INFORMATION
Agenda Number:	6b	

RECOMMENDATION(S):

Review DRAFT Regional Urban Design Guidelines (RUDG) (<http://goo.gl/AxpRje>).

BACKGROUND:

The RUDG completion was identified as a distinct 1997 Base Reuse Plan (BRP) implementation action (**Attachment A**), along with the full range of former Fort Ord economic recovery policies. Initially, the RUDG was to be a FORA obligation – especially the Highway 1 Design Guidelines that crossed or impacted several jurisdictions and the region. The following lists key actions related to this BRP policy:

- In May 1999, the Fort Ord Reuse Authority (FORA) Board voted to proceed with jurisdictional approach to base wide redevelopment (including creation of RUDG);
- In March 2005, the Board approved the Highway 1 Design Guidelines as the first RUDG action;
- The 2012 Reassessment Report identified RUDG completion for Gateways, Town & Village Centers, Regional Circulation Corridors and Trails as an incomplete Reuse Plan requirement;
- In spring 2013, the Post Re-assessment Advisory Committee (PRAC) recommended RUDG completion as a FORA action; and
- The Board approved FY 2013/2014 and FY 2014/2015 budgets and FORA Staff Work plans including RUDG completion.

During 2014, the Board empaneled the RUDG Task Force to oversee RUDG consultant recruitment, advising and project completion. Following a national search, Dover, Kohl & Partners (DKP) along with an interdisciplinary team was selected. In November DKP and FORA staff completed a series of stakeholder interviews during a preliminary Site Visit. In February 2015, DKP and FORA staff, completed a 10-day public design process leading to draft RUDG. Staff and the lead design consultant presented a project status update at the April 10 Board Meeting.

In May 2015, the FORA Board requested Authority Counsel clarify FORA RUDG authority and legal framework (**Attachment B**). The Authority Counsel memorandum sets forth the following clarifications:

- Development of RUDG for the Highway 1 Corridor (approved 2005), Town & Village Centers, Gateways, Regional Circulation Corridors, and Trails are required as distinct implementation actions under the Reuse Plan;
- The RUDG are to focus on issues of visual quality and character;
- Approved RUDG will establish standards for future consistency determinations; and
- The RUDG do not override prior/current consistency determinations, redefine land use designations, or local zoning and General Plans.

Following the February 2015 charrette, staff, consultants and the RUDG Task Force undertook a robust review and revision process leading to the current administrative DRAFT RUDG policy document. The Task Force met on 12 separate occasions and reviewed 6 administrative DRAFT revisions. Along with Task Force members, the public review and revision process has included representatives from FORA's development community, regional agencies, members of the public, building and trade representatives, and California State University Monterey Bay Master Planning team (among others).

development community, regional agencies, members of the public, building and trade representatives, and California State University Monterey Bay Master Planning team (among others).

DISCUSSION:

Today's open house and workshop is intended to provide the Board/public with:

- 1) An up-to-date description/outline/presentation of the current DRAFT RUDG;
- 2) An opportunity for questions and discussion; and
- 3) Opportunity to engage staff and consultants with direct Board feedback in preparation for bringing an actionable DRAFT document at a future Board meeting.

The current administrative DRAFT RUDG policy document refines BRP policy direction, primarily drawing from Section 3.0: Framework for the Reuse Plan (**Attachment C**), with particular emphasis on Design Guideline 6: Adopt Regional Urban Design Guidelines (p. 61), and represents hours of constructive, collaborative work between a broad cross-section of FORA's concerned community members.

The administrative DRAFT RUDG is organized into the following 4 chapters:

- Introduction and Policy Application;
- Base Reuse Plan Focus Areas;
- Regional Urban Design Guidelines; and
- Definitions.

Significant advances in the current administrative DRAFT RUDG document since the April 10 project status presentation (in response to the FORA Board and public comments) included:

- Context/process content separation from policy language and graphics;
- Policy clarification for the range of project status that exist on the former Fort Ord;
- Strengthened narrative connecting existing BRP policies and the RUDG;
- Refined the RUDG to follow national best practices and improve local application; and
- Response to jurisdiction, agency, and community member input

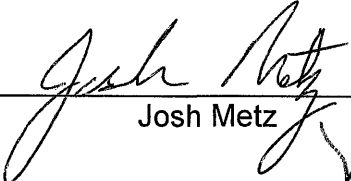
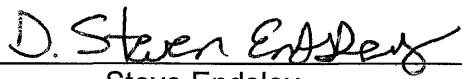
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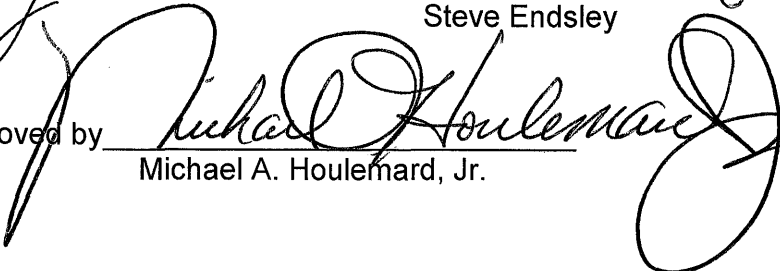
Reviewed by FORA Controller 

Staff time for this item is included in the approved FORA budget.

COORDINATION:

RUDG Task Force, Administrative Committee and Dover, Kohl & Partners

Prepared by  Josh Metz Reviewed by  Steve Endsley

Approved by  Michael A. Houlemard, Jr.

Key Milestones

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1. FORA Act
2. Base Reuse Plan: Design Principle 6
3. Board policy on jurisdictional design implementation
4. Board approves Highway 1 Design Guidelines
5. Reassessment Report – Outstanding RUDG
6. Fort Ord Colloquium
7. 2014 Work Plan – RUDG Completion
8. Task Force – Competitive RFP
9. Board Approves Dover, Kohl (DKP) Selection
10. DKP Site Visit
11. 2015 Design Charrette
12. Task Force – DRAFT RUDG Development
- 13. DRAFT RUDG for Board Workshop**
- 14. Final RUDG for Board Approval**
- 15. RUDG Implementation Training**

MEMORANDUM

Kennedy, Archer & Giffen

A Professional Corporation

DATE: April 1, 2015
TO: Fort Ord Reuse Authority
FROM: Authority Counsel
RE: Regional Urban Design Guidelines

I. Issues:

This memorandum explores the scope of planning authority vested in the Fort Ord Reuse Authority (“FORA”) by the Regional Urban Design Guidelines (“RUDG”). To frame the issue, this memorandum specifically responds to questions that FORA Senior Planner Josh Metz posed to Authority Counsel in a February 23, 2015 email (“February 23 Email”). It also addresses a subsequent, related document that FORA’s Planning Department (namely, Steve Endsley, Jonathan Garcia, and Josh Metz) addressed to Authority Counsel entitled “RUDG Legal Questions Needing FORA Authority Counsel Opinion.” We have distilled from those two documents the following questions, followed by a summary of our conclusions:

A. What are “guidelines” and are they “mandatory”?

Generally, guidelines create standards that may be used to determine whether a local jurisdiction’s land use plan, zoning ordinances, and implementation acts are consistent with FORA’s Base Reuse Plan (“BRP”). In that sense, they are “mandatory.” But there are, as discussed below, limitations on the scope of such guidelines.

B. What is the difference between “guidelines” and “zoning”?

The relationship between the “guidelines,” including the RUDG, and zoning can be summarized as follows: FORA establishes guidelines pursuant to its authority under the FORA Act and BRP. The local jurisdictions must account for such guidelines when submitting its proposed land use plans, zoning, and implementing actions. FORA must then determine the consistency of such plans, zoning, and actions with those guidelines (and other requirements of the BRP), the process for which is set forth in the FORA Act and Article 8.01 of the Master Resolution. Accordingly, the RUDG are not zoning plans or zoning ordinances; only the local jurisdictions can establish those under the FORA Act.

C. Will FORA-approved guidelines limit local jurisdiction planning authority?

Yes, but only to the extent the guidelines are within their proper scope and follow the process for land use planning articulated in the FORA Act. Namely, the RUDG are limited in scope to matters of “visual importance/visual character,” and further that RUDG cannot impose requirements inconsistent with a local jurisdiction’s land use plan, zoning ordinances, implementation action, etc. after FORA has determined the same to be consistent with its BRP.

We therefore conclude RUDG can be implemented as a mandatory standard for local jurisdictions regarding matters of visual importance by which FORA can measure future consistency determinations.

II. Analysis

A. What are “Guidelines” and Are They Mandatory?

The February 23 Email first asks, “What are ‘guidelines’?” The RUDG Legal Questions Needing FORA Authority Counsel Opinion narrows the issue somewhat, by asking “What is FORA’s Regional Urban Design Guidelines (RUDG) legal authority?” And both the February 23 Email and the RUDG Legal Questions Needing FORA Authority Counsel Opinion ask: are the RUDG “mandatory?” This memorandum addresses those related questions together.

1. Definition of “Guidelines”

The term “guidelines” is not a legal term of art and has no particular legal meaning. Merriam-Webster defines a guideline as “a rule or instruction that shows or tells how something should be done.”¹ An alternative definition is “an indication or outline of policy or conduct.”² Though somewhat ambiguous, the former definition appears to provide a mandatory “rule,” whereas the latter may suggest something more permissive.³ But a dictionary definition does little to answer what “guidelines” means in this context, and is not dispositive of the issue of whether the RUDG are “mandatory.” It is therefore more instructive to focus on the source and substance of the RUDG, namely, the “Design Principles” set forth in the BRP.

2. Legal Authority for the RUDG

The legal authority for the BRP is set forth in the FORA Act at Government Code section 67675. That section obligates FORA to create the BRP, accounting for “[a] land use plan for the integrated arrangement and general location and extent of, and the criteria and standards for, the uses of land ... and other natural resources[.]” Such authority encompasses the power to proscribe design guidelines.

¹ <http://www.merriam-webster.com/dictionary/guideline>

² *Ibid.*

³ See also “*Pirates of the Caribbean, Curse of the Black Pearl*” (Captain Barbossa: “[T]he code is more what you’d call ‘guidelines’ than actual rules”.)

The BRP provides for “Major Provisions of the Reuse Plan,” and “Context and Framework” for the BRP. (BRP, § 1.2.1, p. 3.)⁴ “The Framework for the Reuse Plan establishes the broad development considerations that link the various Reuse Plan elements to the land use jurisdiction into an integrated and mutually supporting structure.” (BRP, § 1.2.1, p. 8; see also art. 3.0, p. 55.) Part of that Framework is a “Community Design Vision,” which sets forth six specific “Design Principles.” (BRP, § 1.2.1, pp. 8-9; see also § 3.1, p. 56.) Design Principle no. 6 provides:

Design Principle 6: Adopt [RUDGs]. The visual character of the former Fort Ord will play a major role in supporting its attractiveness as a destination for many visitors every year. Maintaining the visual quality of this gateway to the peninsula and where necessary enhancing it is of regional importance to ensure the economic vitality of the entire peninsula. [RUDG] will be prepared and adopted by FORA to **govern the visual quality of areas of regional importance within the former Fort Ord.**

(BRP, § 1.2.1, p. 9; see also § 3.1.1, p. 61.)

The “full” version of Design Principle no. 6 provides:

Adopt [RUDGs]. The **visual character** of the Monterey Peninsula plays a major role in supporting the area’s attractiveness as a destination for many visitors every year. ... **Maintaining the visual quality of this gateway to the Peninsula and where necessary enhancing it is of regional importance to ensure the economic vitality of the entire Peninsula. [RUDGs] will be prepared and adopted by FORA as a separate implementation action to govern the visual quality of the following areas of regional importance.** The guidelines will address the State Highway 1 Scenic Corridor, the freeway entrances to the former Fort Ord ... from the State Highway 1 ..., areas bordering the public [sic] accessible habitat-conservation areas, major through roadways such as Reservation Road and Blanco Road, as well as other areas to be determined. **The urban design guidelines will establish standards for road design, setbacks, building height, landscaping, signage, and other matters of visual importance.”**

(BRP, § 3.1.1, p. 61.)

The BRP therefore provides that the RUDG shall “govern” and shall “establish standards” for certain elements. (BRP, § 3.1.1, p. 61.) Those elements relate to the visual quality of certain areas. However, at least within that scope and subject to the processes

⁴ All references to the BRP are to volume 1, unless otherwise specified.

applicable to land use consistency determinations, the “guidelines” that the BRP sets forth in the RUDG “govern” and “establish standards,” and are mandatory on the local jurisdictions.

B. Differences and Relationship Between “Guidelines” and “Zoning”?

A memorandum prepared on September 3, 2013 by FORA Special Counsel Alan Waltner,⁵ discussed the relationship between “zoning” and FORA’s authority to govern land use. This memorandum will not repeat that one, save to highlight the discussion at pages 2 to 3, where Counsel pointed out that “zoning” is within the authority of the local jurisdictions, not FORA; FORA’s authority is to determine whether land use plans, zoning ordinances, implementing actions, etc. are consistent with the BRP, including design guidelines.

FORA has the authority and obligation to create the BRP, including “[a] land use plan for the integrated arrangement and general location and extent of, and the criteria and standards for, the uses of land, water, air, space, and other natural resources within the area of the base.” (Gov’t Code, § 67675.) “[A]fter the board has adopted a reuse plan, a member agency with jurisdiction within the territory of Fort Ord may adopt and rely on the [BRP], including any amendments therefor, for purposes of its territory ... as its local general plan for purposes of Title 7 until January 1, 1996.” (Gov’t Code, § 67675.1.) Also, “[a]fter the board has adopted a [BRP], each county or city with territory occupied by Ford Ord shall submit its general plan to the board,” which (a) certifies after a public hearing that it is intended to be carried out pursuant to the FORA Act and (b) “contains, in accordance with guidelines established by the board, materials sufficient for a thorough and complete review.”⁶ (Gov’t Code, § 67675.2.) Within 90 days of the local jurisdiction submitting its general plan, FORA must determine that plan is consistent with the BRP. (Gov’t Code, § 67675.3, subd. (c).) Then, “[w]ithin 30 days after the certifications of a general plan or amended general plan, or any portion thereof, the board shall, after consultation with the county or a city, establish a date for that county or city to submit the zoning ordinances, zoning district maps, and where necessary, other implementing actions applicable to the territory of Ford Ord.” (Gov’t Code, § 67675.4.) The local jurisdiction then submits to FORA those zoning ordinances, zoning district maps, and other implementing actions – such RUDG (see Design Principle no. 6 at BRP, § 3.1.1, p. 61 [RUDGs “will be prepared and adopted by FORA as a *separate implementation action*”]) – and FORA must determine whether those zoning ordinances, maps, and implementation actions conform with the BRP. (Gov’t Code, § 67675.5.)

Accordingly, the relationship between the “guidelines,” including the RUDG, and zoning can be summarized as follows: FORA establishes guidelines, as “other implementing actions,” pursuant to its authority under the FORA Act and BRP. The local jurisdictions must account for such guidelines when submitting its proposed land use plans, zoning, and implementing actions. FORA must then determine the consistency of such plans, zoning, and actions with those

⁵ That memorandum can be found here: <http://www.fora.org/Board/2013/Packet/Additional/091313AlanWaltner.pdf>

⁶ See also Article 8.01 of the Master Resolution, providing for the BRP and FORA’s determinations of local jurisdictions’ legislative land use decisions.

guidelines (and other requirements of the BRP), the process for which is set forth in the FORA Act and Article 8.01 of the Master Resolution.

C. Will FORA-approved Guidelines Limit Local Jurisdiction Planning Authority? And What is the Scope of the RUDG Project?

Will FORA-approved guidelines limit local jurisdiction planning authority? As just discussed, FORA-approved guidelines limit local jurisdiction in the sense that the local jurisdictions must account for such guidelines and that FORA may reject local jurisdiction's land use plans and zoning if they do not comply with such guidelines. However, FORA's authority is not unlimited in this regard. Namely, the authority is limited by (1) prior consistency determinations, to the extent that they overlap with RUDG; and (2) the limited scope of RUDG (visual quality and characteristics).

1. FORA-approved Guidelines Generally Cannot Contradict Previously Enacted Land Use or Zoning Laws that FORA has Already Found to be Consistent with the BRP

First, as discussed in the memoranda of then Authority Counsel (Jerry Bowden) on Dec. 3, 2012 and on November 14, 2013, "[o]nce a local plan has been found consistent with the [BRP], the FORA Act does not permit the [BRP] to be amended if the amendment would negate the consistency finding," pursuant to Government Code section 67675.8⁷ (Jerry Bowden Memo, 11/14/2013, p. 1.) Accordingly, if a newly enacted RUDG imposed a requirement inconsistent with a pre-approved (by FORA) local jurisdiction land use plan or zoning ordinance, the local jurisdiction's land use plan or zoning ordinance should prevail over the new RUDG. As such, RUDG would only limit local jurisdiction's land use on matters that have not already been the subject of a FORA consistency determination.

2. The BRP Limits the Scope of RUDG

Another limitation on the RUDG is that those guidelines address "visual character." As discussed above, the BRP establishes a Framework delineating broad policy considerations. Part of that Framework is a "Community Design Vision," which sets forth six specific "Design Principles." (BRP, § 1.2.1, pp. 8-9; see also § 3.1, p. 56.) As quoted above, Design Principle no. 6 provides:

⁷ This memorandum does not comment on the correctness of that opinion, but will note that the then Authority Counsel recognized that section 67675.8 was ambiguous and that an alternative meaning was possible. (Jerry Bowden Memo, 12/3/12.) That alternative meaning was that section 67675.8 only imposed limitations on amendments to the BRP where the amendment would affect a single jurisdiction, as opposed to base-wide affects. Indeed, a plain reading of the statute suggests that result. Mr. Bowden found that result anomalous, since the FORA Act would thereby "address the narrow case of single agency amendments and not the broader case of base-wide amendments." (Jerry Bowden Memo, 12/3/12; see also Jerry Bowden Memo, 11/14/13.) In other words, if section 67675.8 only applies to cases where the BRP amendments apply to a single jurisdiction, there would be little else preventing FORA from making amendments with basewide effect.

Design Principle 6: Adopt [RUDGs]. The visual character of the former Fort Ord will play a major role in supporting its attractiveness as a destination for many visitors every year. Maintaining the visual quality of this gateway to the peninsula and where necessary enhancing it is of regional importance to ensure the economic vitality of the entire peninsula. [RUDG] will be prepared and adopted by FORA to govern the visual quality of areas of regional importance within the former Fort Ord.

(BRP, § 1.2.1, p. 9; see also § 3.1.1, p. 61.)

Similarly, the “full” version of Design Principle no. 6 provides:

Adopt [RUDGs]. The visual character of the Monterey Peninsula plays a major role in supporting the area’s attractiveness as a destination for many visitors every year. ... Maintaining the visual quality of this gateway to the Peninsula and where necessary enhancing it is of regional importance to ensure the economic vitality of the entire Peninsula. [RUDGs] will be prepared and adopted by FORA as a separate implementation action to govern the visual quality of the following areas of regional importance. The guidelines will address the State Highway 1 Scenic Corridor, the freeway entrances to the former Fort Ord ... from the State Highway 1 ..., areas bordering the public [sic] accessible habitat-conservation areas, major through roadways such as Reservation Road and Blanco Road, as well as other areas to be determined. The urban design guidelines will establish standards for road design, setbacks, building height, landscaping, signage, and other matters of visual importance.

(BRP, § 3.1.1, p. 61.) The last sentence gives examples of the matters to which the RUDG pertain. Though RUDG are not limited to those specific examples (“... and other matters of visual importance”), RUDG do appear limited to matters of “visual character,” “visual quality,” or “visual importance” of the type listed as examples.⁸

a. Highway 1 Design Corridor Treatment

The RUDG Legal Questions Needing FORA Authority Counsel Opinion inquires “how were issues handled in Hwy 1 Guidelines?” Two points may be made here. First, the Design Guidelines set forth at article 2.0 of the Board approved (2005) Highway 1 Design Corridor Design Guidelines can generally be described as “visual” in character, including landscaping and other elements to promote conservation (§ 2.2.3), use of native plants (§ 2.2.4), setbacks (§

⁸ Another potential limitation on the RUDG is a geographic limitation. Design Principle no. 6 lists the specific geographic areas to which the RUDG are expected to apply. However, it also encompasses (as quoted above) “other areas to be determined.” Thus, the BRP does not actually limit RUDG to those specific geographic areas, provided that it make a determination that maintaining the visual qualities in those areas will serve the purposes laid out in Design Principle no. 6.

2.2.5), compatible signage and common themes to promote a connected quality (§ 2.2.6), greenbelts (§ 2.2.7), common minimum standards for medians lighting, and open spaces (§ 2.2.8), common gateway look and feel (§ 2.2.9), designs that promote walkable streets such as street furniture (§ 2.2.10), building design features (§ 2.2.11), particular signage (§ 2.2.13), viewsheds (§ 2.2.14), etc. Thus, the Highway 1 Design Corridor Design Guidelines are generally limited in scope to the matters set forth in BRP Design Principle 6, i.e., “visual” matters.

Second, the process for enforcing the designs called for in the Highway 1 Design Corridor Design Guidelines recognizes the process of consistency reviews, discussed above. For instance, the first paragraph of the Highway 1 Design Corridor Design Guidelines addresses that treatment:

This document provides a set of design guidelines for the creation of design standards and zoning ordinances by jurisdictions with authority by jurisdictions with authority along the 3-mile California Highway 1 stretch of the former Ford Ord. These guidelines will also serve as the basis for *future* [FORA] consistency determination review of legislative, land use, and project approvals submitted by affected jurisdictions, as required by state law.

(Highway 1 Design Corridor Design Guidelines, § 1.1, p. 1 (italics added).) Later, at section 1.6 beginning on page 7, the Highway 1 Design Corridor Design Guidelines discusses how they fall within the Design Review Process, including consistency determinations under the FORA Act and article 8.01 of the Master Resolution, and including development entitlement reviews under the BRP.

In closing, the Highway 1 Design Corridor Design Guidelines recognize that they must comply with the scope of the BRP’s provision for design guidelines and with the process for FORA’s review process set forth in the FORA Act, Master Resolution, and BRP.

b. The Scope of the RUDG Project with Dover, Kohl & Partners (“DKP”)

The RUDG Legal Questions Needing FORA Authority Counsel Opinion penultimately inquires “what is [the] scope of [the] RUDG project?” As addressed above, the scope of RUDG is visual quality.

FORA’s Request for Proposals for Regional Urban Design Guidelines (“RFP”) identifies Design Principle no. 6, i.e., creation of RUDG, as the focus of that scope of work. (RFP, p. 18 of 29.) As discussed above, Design Principle no. 6 relates principally to visual characteristics. Other design principles, it should be noted, relate to more “substantive” land use considerations, such as establishment of mixed-use development patterns (no. 3), establishing diverse neighborhoods (no. 4), and encouraging sustainable development (no. 5.)

The RFP then identifies two “top level” goals: (1) completion of RUDG focusing on Town & Village Centers, Regional Circulation Corridors, Trails and Gateways on the former Ford Ord; and (2) Development of a strategic implementation plan to guide FORA and its member jurisdictions on integrating RUDG into planning processes.” In order to achieve those goals, the RFP contemplates the design professional “understand[ing] in detail existing land use and design regulations,” while recognizing that “local land use jurisdictions ... retain [] local control over all land use policies.” (RFP, pp. 18-19 of 29.) The “Key Deliverables” section of the RFP also appears to recognize the scope of RUDG. (RFP, p. 21 of 29.)

Form Based Code examples to be provided by the consultant under the contract are meant to serve as a visual representation of already allowed land uses in the BRP and are meant for illustrative purposes only. As noted above, the State has granted purview over Zoning to the FORA jurisdictions, and so insofar as Form Based Codes could substitute for a jurisdiction's Zoning Code, staff is recommending that those aspects of the Scope be provided to the jurisdiction's on an optional basis

III. CONCLUSION

The RUDG can be implemented as a mandatory standard for local jurisdictions regarding matters of visual importance by which FORA can measure future consistency determinations.



3.0 Framework for the Reuse Plan

The Framework for the Reuse Plan establishes the broad development considerations that link the various Reuse Plan elements for each of the land use jurisdictions into an integrated and mutually supporting structure. The Framework concentrates on the interrelated aspects of all development within the former Fort Ord.

The Framework is comprised of the following:

1. Community Design Vision;
2. Existing Setting and Character of the former Fort Ord;
3. Land Use Concept: Ultimate Development Plan and Map;
4. Land Use Designations and Land Resources;
5. Circulation Concept;
6. Conservation, Open Space, and Recreation Concept;
7. Planning Areas and Districts;
8. Marina Planning Areas and Districts;
9. Seaside Planning Areas and Districts;
10. County Planning Areas and Districts; and
11. Reuse Plan Implementation.



Section 4 of the Reuse Plan provides the Goals, Objectives, Policies, and Programs for each relevant Plan Element in support of this Framework. The Plan Elements are specific for each of the land use jurisdictions within the former Fort Ord.

3.1 Community Design Vision

The design and planning vision for the future of the former Fort Ord draws its inspiration from several sources: the nature of the land and existing facilities on the base; the history and culture of the Peninsula, and particularly the former Fort Ord itself; sound principles of community-making; and on a responsible and positive attitude toward the environment.

The opportunity provided by this 28,000-acre resource is inestimable. The challenge, however, to not squander or abuse the special qualities of this place is substantial as well. The designation of Fort Ord as a model reuse project chosen among the 1991 round of base closures is indicative both of the challenges to be met in the future and the opportunities inherent in this unique site and its surrounding region.

The prevalence of the Peninsula academic and environmental communities has in recent years spawned a variety of educational and research initiatives. Following this lead, the University of California and California State University have both begun to plan and implement ambitious and important facilities at the former base. These facilities in many ways will form the nucleus of the future community envisioned to grow at this site.

The vision for the future of the former Fort Ord is that a community will grow up on the former Base, having a special character and identity. This community, at the same time, will fit with the character of the Peninsula, complementary with the scale and density of the existing communities from Marina to Carmel. It will demonstrate a respect for the special natural environment of the Peninsula and the scenic qualities of the Bay, coastal dune areas, and upland reaches. It will also be complementary to the rich tradition and reality of agriculture in the Salinas Valley, which forms such an important part of the regional character and economy, while enhancing the experience of visitors to the Peninsula. Most importantly, the community will be a special place for living and working. It will provide a diversity of experience and opportunity, with a development approach that is sustainable and appropriate.

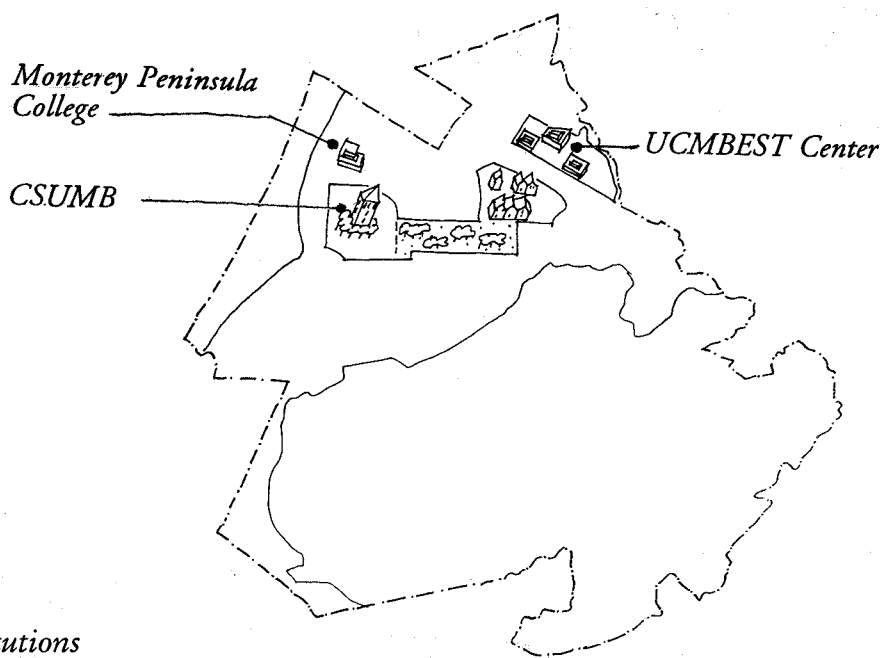
3.1.1 Design Principles

Design Principle 1: Create a unique identity for the community around the educational institutions.

The centerpiece of the community at the former Fort Ord will be the education centers that have been integrated into the reuse of the former Fort Ord. Three major post-secondary institutions are participating in the reuse of the base. The CSUMB campus, the UC MBEST Center, and the Monterey Peninsula



College District will all become significant catalysts to the economic development of the region. In addition, land and/or facilities have been subject to public benefit conveyance for Golden Gate University and the Monterey Institute for Research in Astronomy and the Monterey Peninsula Unified School District (MPUSD). The CSUMB campus, currently planned to ultimately accommodate 25,000 full-time equivalent (FTE) students, will occupy a central site, and will support retail and recreation facilities, housing units, and a variety of services and businesses. In addition, the special facilities found on a major university campus such as art galleries, performance and lecture halls, libraries, athletic facilities, and bookstores will greatly enhance the surrounding community and provide opportunities for access by all age groups. The other educational institutions will offer diverse educational opportunities. The UC MBEST Center will become a unique employment center, complementary to other research institutions in the region and capitalizing on the unique physical and intellectual attributes of the area.



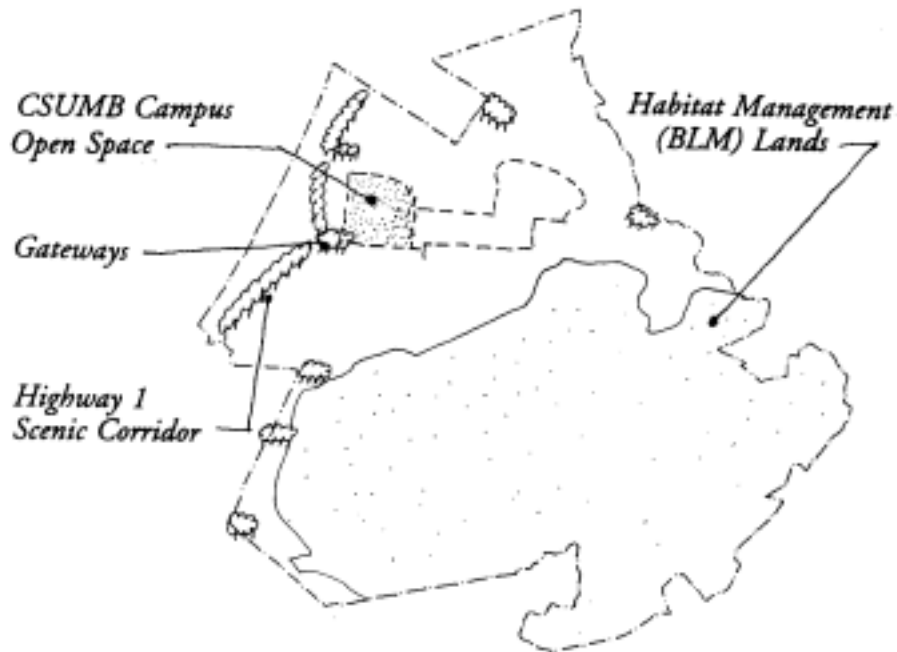
Education Institutions

Design Principle 2: Reinforce the natural landscape setting consistent with Peninsula character.

The former Fort Ord is part of the gentle crescent that frames Monterey Bay, situated between the great Salinas River Valley and the dramatic coastal range that juts into the Pacific to form the Peninsula. The historic “cantonment” area within Fort Ord is bounded by State Highway 1, sand dunes and ocean beyond to the west and by the native landscapes of the upper elevations to the east. The entire Peninsula, as a whole, is characterized by a highly memorable landscape character. The former Fort Ord is a critical centerpiece of this landscape and serves as the entry and introduction to the Peninsula for the visitor arriving from the Salinas Valley to the east or from Santa Clara State Highway 1 to the north.



The natural landscape setting at the former Fort Ord is not only an important visual resource within the region. It is also a key natural resource with significant biological value. As part of the base reuse, 15,000 acres of the site will be managed as open space for habitat resource protection and for limited recreational use. These environmental resources will add significantly to the supply of protected regional open space within the County of Monterey and will provide linkages to other regional open space assets. Approximately 1,000 acres of the coastal area will be conveyed to the State of California Department of Recreation to create the Fort Ord Dunes State Park.



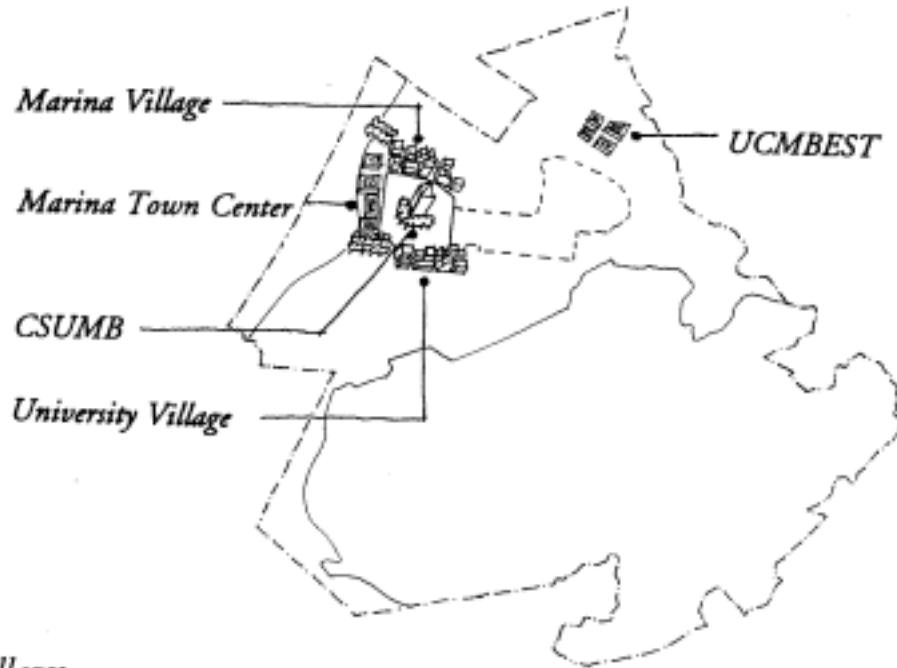
Landscape Setting

Design Principle 3: Establish a mixed-use development pattern with villages as focal points.

Consistent with the character of a college town with a vibrant, around-the-clock level of activity and vitality, the former Fort Ord is planned to consist of a series of villages with mixed-use centers. Some will be built around existing and new residential neighborhoods, while other village themes will include: the Marina Town Center with employment, retail and housing; CSUMB with its educational focus and housing; and the East Garrison with a potential mix of employment, housing and recreation.



The village pattern will sustain a transit and pedestrian friendly development pattern. The core of each village will consist of services and amenities for districts and neighborhood, from retail and service establishments to transit stops and parks. Higher development densities and a mix of uses (e.g. office and housing over retail) will enhance the vitality of the village centers. The villages will be linked by transit routes and by open space corridors suited for cycling and walking. The villages will be designed to be compact and walkable, each developed with its own identity and character.



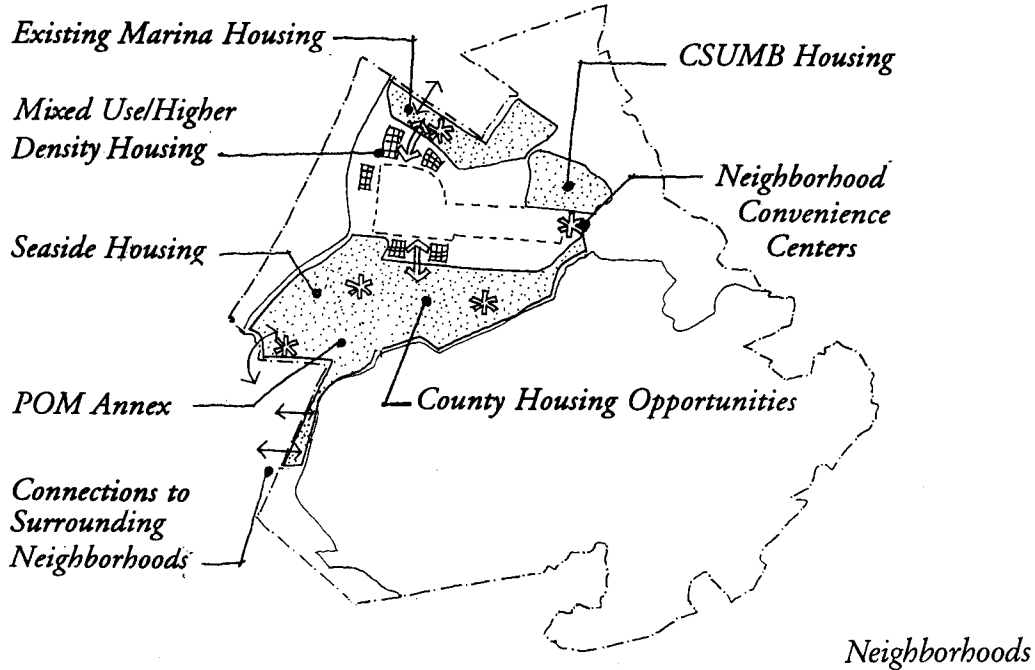
Mixed Use Villages

Design Principle 4: Establish diverse neighborhoods as the building blocks of the community.

The special character of the communities in the Peninsula is due, at least in part, to the diversity of their residential neighborhoods. They are typically small scaled, with one and two story buildings. Open space is plentiful, giving the overall impression of a green and lush landscape. In some neighborhoods, historic styles and buildings predominate, including adobes characteristic of the pre-statehood era. A regional vernacular, the Monterey style which evolved during the colonial period, is joined by an array of other architectural styles: Victorian, California bungalow, “Mediterranean”, post WWII tract, and more recent modern and post-modern styles.



Several of the existing residential communities on the former base - including portions of Patton, Abrams, Schoonover, and Frederick housing areas - will be retained and renovated for a variety of housing unit types where feasible. In addition, new residential neighborhoods will be added, ranging from high density units in the Town Center and village centers, to large lot single family areas. In all cases, particular attention will be paid to ensuring that the residential neighborhoods retain or establish special identities and characters, and that they have available a full range of amenities - schools, parks, transit, and shopping - within a convenient and walkable distance.



Design Principle 5: Encourage sustainable practices and environmental conservation.

“Sustainable development means economic growth that we can live with and that future generations can live with too. It means growth that improves human welfare but does not squander the resources of the planet nor undermine the biological systems on which life depends.”

-World Resources Institute

The reuse of the former Fort Ord as a mixed-use community within the larger Peninsula provides the opportunity to demonstrate a wide range of design and planning practices that are consistent with accepted notions of sustainability and environmental conservation. A majority of the area of the former Fort Ord will be set aside for habitat management with limited recreation opportunities included. The remaining portions of the former base will be developed into a balanced community which provides housing and employment opportunities, reducing the need for long distance commuting throughout the region. Major destinations such as employment centers, the university, and regional shopping will be located along transit rights-of-way to ensure the

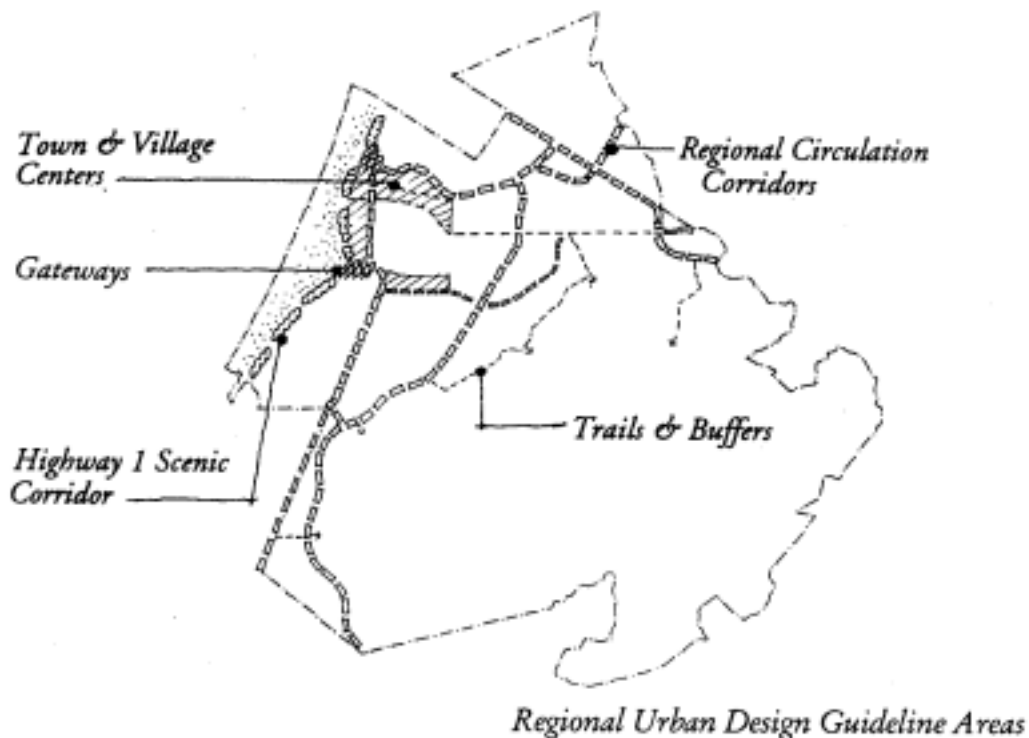


availability of modes of transit besides the automobile. Specific areas of the community will also be designed to include a mix of uses such as housing, shopping and office, and to be pedestrian friendly. In addition, individual sites and buildings should be designed to minimize energy consumption and to take advantage of local climatic conditions to enhance comfort.

Design Principle 6: Adopt Regional Urban Design Guidelines.

The visual character of the Monterey Peninsula plays a major role in supporting the area's attractiveness as a destination for many visitors every year. The location of the Fort Ord property is such that it functions much like a gateway to Peninsula attractions such as the beach and dunes area which will be a state park; the communities of Monterey, Pacific Grove, Carmel; and the Carmel Valley, Big Sur and points south. Maintaining the visual quality of this gateway to the Peninsula and where necessary enhancing it is of regional importance to ensure the economic vitality of the entire Peninsula.

Regional urban design guidelines will be prepared and adopted by FORA as a separate implementation action to govern the visual quality of the following areas of regional importance. The guidelines will address the State Highway 1 Scenic Corridor, the freeway entrances to the former Fort Ord are from State Highway 1 (12th Street and the Main Gate areas) and from the east, areas bordering the public accessible habitat-conservation areas, major through roadways such as Reservation Road and Blanco Road, as well as other areas to be determined. The urban design guidelines will establish standards for road design, setbacks, building height, landscaping, signage, and other matters of visual importance.





3.1.2 Design Objectives

The following overall objectives will guide the development of the former Fort Ord.

Community Form

Community form should be well defined and discernible; it should be distinctive within the larger Peninsula, but compatible with the form and character of other Peninsula communities. Development at the former Fort Ord will be related and connected to the adjacent cities of Marina and Seaside and will comprise important parts of those cities; however, the former Fort Ord area will also have its own distinct character consisting of definable edges, entries, and structure.

- *Where appropriate establish a readily discernible edge to the new development.*
- *Create compact community form and patterns of development.*
- *Create distinctive and memorable entries to the area.*
- *Establish community form consistent with peninsula prototypes.*
- *Link the new neighborhoods with the surrounding cities' development fabric.*
- *Establish specific design and signage standards for the State Highway 1 Scenic Corridor to minimize the visual impact of development.*





Development Pattern

The community that will develop on the former base at Fort Ord will evolve over time, incorporating some existing buildings, roadways and open space, and creating other places anew. The pattern of development will take its cues both from the historical development of the base and its existing pattern and scale of buildings and facilities. It will also follow sound principles of community planning, emphasizing the use of transit, pedestrian-friendly scale of development and roadways, and generous areas of landscaping and open space.

- *Build upon the existing grid pattern of the Main Garrison area to establish the pattern of the higher density core area surrounding CSUMB.*
- *Utilize a lower density, more informal development pattern in areas more distant from the core.*
- *Ensure a high degree of connectivity and accessibility to CSUMB from the surrounding village centers, and vice versa.*
- *Locate concentrations of activity and density along future transit rights-of-way for efficient movement.*
- *Limit the scale, particularly the width, of major roadways to minimize barriers to movement and interaction within the community.*



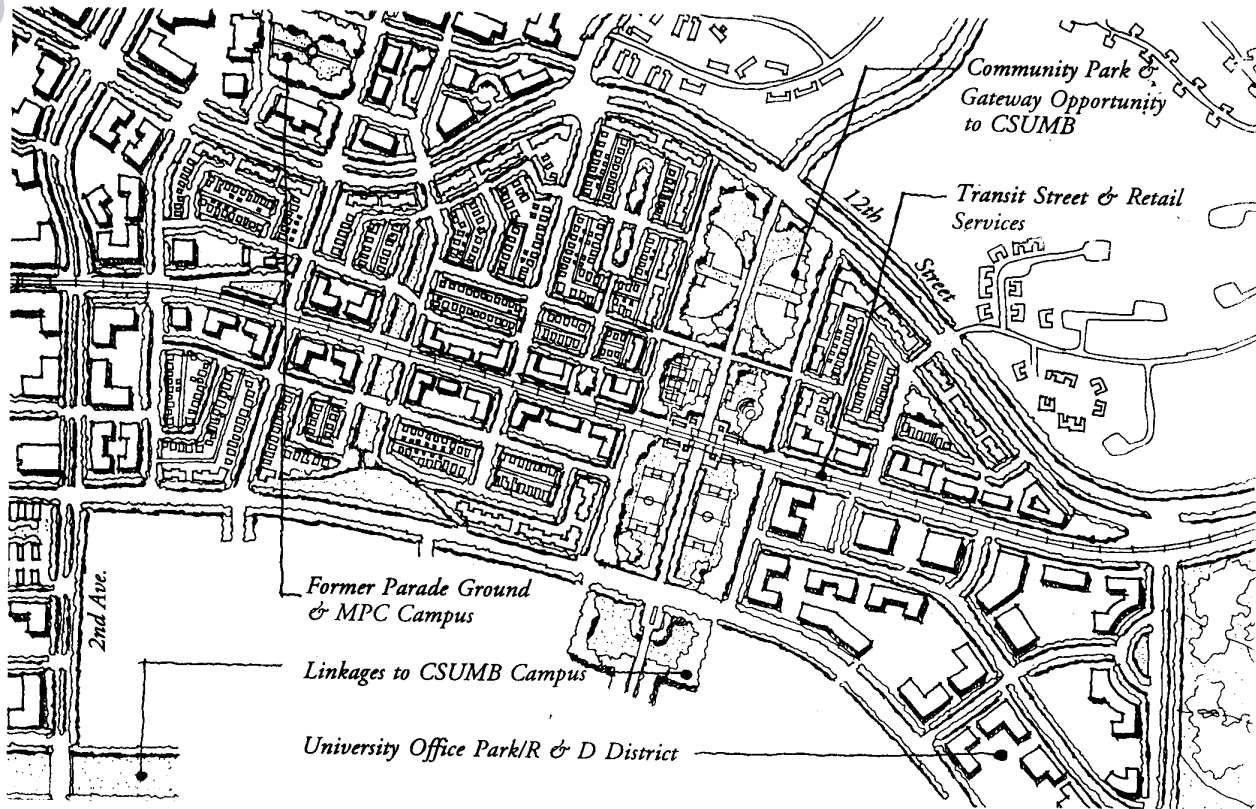
Town and Village Centers

The town and village centers will feature concentrated activity. The major centers will be located in the vicinity of the CSUMB campus, capitalizing on the inherent high level of activity and vitality of the campus. The Marina Town Center, located to the west of CSUMB adjacent to State Highway 1, will contain the highest density of retail, office and housing in the former Fort Ord area. The Marina Town Center will also play an important role flanked by two principal entries to the Fort Ord community and to CSUMB at the 12th Street and Main Gate interchanges. To the north and south of CSUMB, major village centers will support university related uses and amenities. The South Village, located



adjacent to the earlier portion of CSUMB to develop, will consequently have an earlier start and should complement university amenities, such as performance and athletic facilities with cafes and restaurants, shops and other student and local-serving uses.

Away from the CSUMB area, other village centers will support local commercial uses and be compatible with adjacent parks, schools and other neighborhood facilities. The village centers will be developed with a pedestrian orientation and ready access to transit opportunities available early and in the long term.



*Marina Village Illustrative
Housing / Retail/Office in Mixed Use Pattern*



- *Maintain the fine-grained development pattern of existing areas of the Main Garrison.*
- *Encourage a development pattern which mixes uses horizontally and vertically for an active streetscape.*
- *Encourage a scale and pattern of development which is appropriate to a village environment and friendly to the pedestrian and cyclists.*





- Minimize the scale of streets to facilitate pedestrian movement while providing adequate circulation and parking opportunities.
- Create strong physical linkages from the villages to the CSUMB campus and other major activity areas.



Existing Neighborhoods

The existing neighborhoods at the former Fort Ord will form the nucleus of early development. These neighborhoods are of varying ages and in varying conditions, but each has a unique character and can ultimately anchor an important neighborhood. In some cases, existing neighborhoods will be infilled and redeveloped, changing the unit types or development pattern to be more viable and attractive to future residents. In other cases, existing neighborhoods will continue in their present form, to be extended and expanded, or to remain as distinct neighborhoods to be joined by the many new neighborhoods that will be added during the long term evolution of the area as a whole.

- *Reinforce the positive character of existing residential areas through building and areawide improvements.*



- *Encourage infill of new housing at an appropriate scale to enhance existing neighborhoods.*
- *Reinforce linkages among existing neighborhoods and establish linkages to new neighborhoods and to village centers.*
- *Enhance the physical appearance of existing neighborhoods with special street and landscaping treatments.*

New Neighborhoods

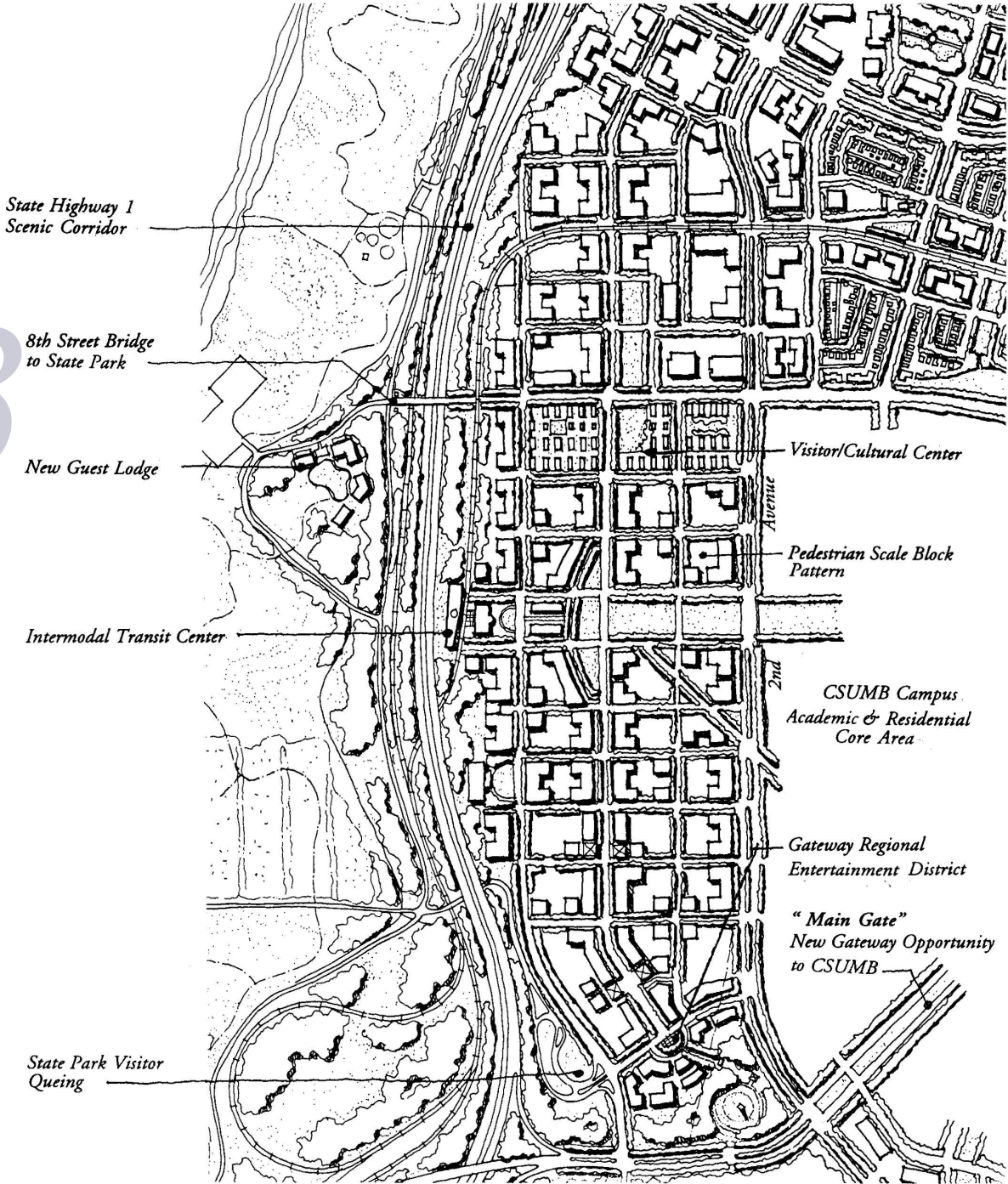
New residential neighborhoods will be developed throughout the former Fort Ord. Each will have locational and programmatic distinctions. The new residential neighborhoods in particular will play an important role in attracting business, jobs, and residents. Thus, the design of the new neighborhoods and their relationship to regional open space and the major activity centers of the former Fort Ord and the Peninsula - the natural open spaces, beach areas, and educational campuses in particular - will be of key importance. The new neighborhoods should be clearly defined while encouraging connections to older existing neighborhoods and to the surrounding developed areas of Marina and Seaside.

- *Connect new residential neighborhoods via continuous streets and/ or open space linkages to surrounding neighborhoods and districts.*
- *Promote a sense of community and connectedness in the new neighborhoods by minimizing street widths, providing comfortable pedestrian environments, encouraging housing design which embraces the public street area.*
- *Include local conveniences within or immediately adjacent to neighborhoods.*
- *Encourage residential design diversity and variety, including a mix of densities and style, while following a consistent approach to framing the street and public spaces in a human-scaled manner.*
- *Provide a generous amount of publicly-accessible park and open space for day to day use by residents.*

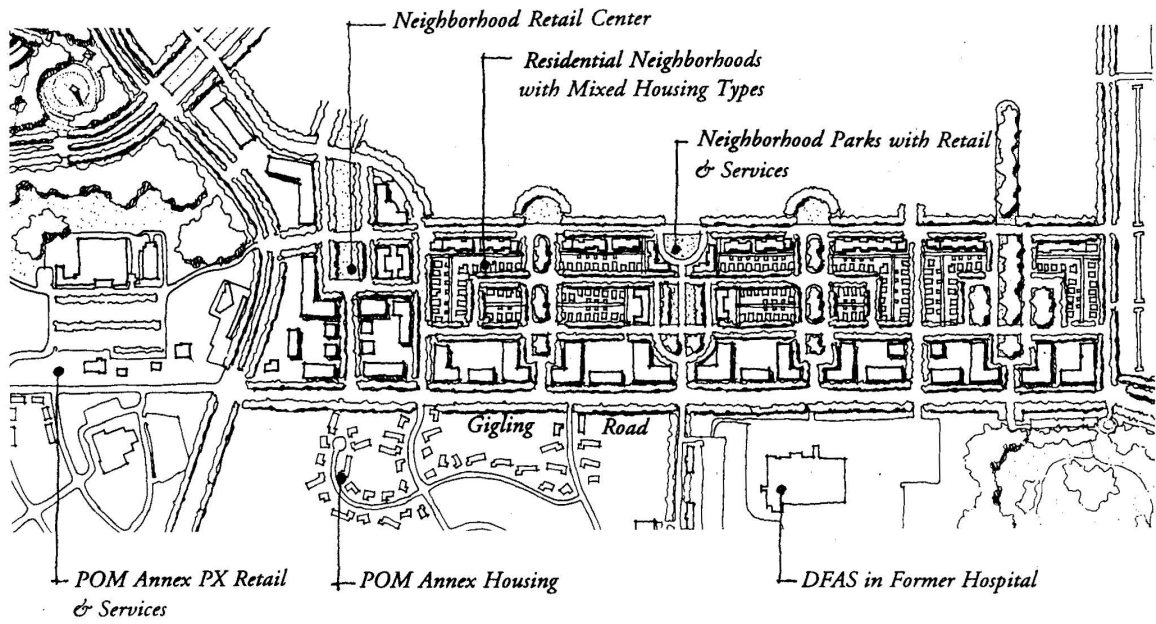




Framework for the Reuse Plan



Marina Town Center Illustrative
Housing/ Retail/ Office in Mixed Use Pattern



*University Village Illustrative
Housing/ Retail/ Office in Mixed Use Pattern*



Major Development Sites

The Reuse Plan envisions several concentrations of intensive new development which will act as employment and activity centers. These major development sites include the CSUMB campus; the UC MBEST Center; the East Garrison development area; the Southgate and York Road area; and the Town Center complex. These areas will constitute major employment centers for the reuse area itself as well as for the region. The major development sites will attract greater concentrations of people and traffic. Therefore, they will generally be located near current or future transit as well as regional roadways. These major sites should, however, not be considered isolated islands of employment; wherever feasible, they will be linked to surrounding neighborhoods and to other activity centers. They will also play an important role in environmental stewardship - several are immediately adjacent to the habitat areas and have substantial acreage set aside for habitat conservation and open space. These major development sites can be models of sustainable development and sensitive site and facility planning and design.

- *Provide physical and visual linkages to surrounding development sites and neighborhoods for continuity and connectedness.*
- *Provide transit accessibility at major development sites by orienting highest concentrations of activity along transit rights-of-way and providing easy pedestrian access to these points.*
- *Employ principles of sustainable design and planning in the site planning and building design of facilities.*
- *Establish a special identity for major development sites, but keep all development compatible with the low density character of the greater Peninsula, particularly in terms of the scale and height of new buildings.*
- *Encourage intensification of site development over time with infill and redevelopment, including transitioning surface parking lots to parking structures.*





Landscape and Open Space

The visual character of the Peninsula is greatly determined by the quality of the natural and introduced landscape pattern and materials. The former Fort Ord encompasses a vast area which ranges from coastal sand dunes to upper reaches of oak woodland and chaparral. The Main Garrison area, where uses were principally located, has very little introduced or formal landscaping; consequently the image of the area is rather bleak and uninviting. As the former Fort Ord will be developed over time, major vegetation and landscaping should be introduced in these development areas to create a more inviting and pedestrian scale environment, and to integrate the site as a whole into the larger Peninsula environment. The open space areas include the UC/NRS Fort Ord Natural Reserve, the Frog Pond, the Bureau of Land Management open space area, Fort Ord Dunes State Park and other units to be owned by the Monterey Peninsula College, and the California Native Plant Society.

- *Incorporate principles articulated in the Habitat Management Plan (HMP) as good practices throughout the entire base.*
- *Ensure that open space connections are provided to link major recreation and open space amenities within the base and also to adjacent regional resources.*
- *Provide a generous pattern of open space and recreation resources through public facilities and publicly accessible private development. Ensure that the open space resources of CSUMB and other major developments are available to the community at large.*
- *Establish an open space corridor of a minimum of 100 feet along the entire eastern edge of State Highway 1, and landscape this Fort Ord corridor via a master landscape plan, to reinforce the regional landscape setting along the entryway to the northerly peninsula.*
- *Establish a pattern of landscaping of major and minor streets, including continuous street tree plantings to define gateways to the former Fort Ord and enhance the visual quality and environmental comfort within the community.*
- *Encourage a pattern of development at the neighborhood and district levels that ensures a generous provision of open space.*