

INITIATIVE MEASURE TO BE SUBMITTED TO THE VOTERS AT A SPECIAL ELECTION

TITLE: PROTECT FORT ORD OPEN SPACE ACCESS INITIATIVE

To the Fort Ord Reuse Authority:

We, the undersigned, registered and qualified voters of the County of Monterey, California, consistent with Section 67659 of the California Government Code, present to the Fort Ord Reuse Authority this petition and request that the following proposed amendment to the Fort Ord Reuse Plan be submitted to the registered and qualified voters of the County of Monterey for their adoption or rejection at a special election held pursuant to Section 1405(a) of the California Elections Code.

Following is the full text of the Proposed Measure:

The People of Monterey County do ordain as follows:

Title: Protect Fort Ord Open Space Access Initiative.

Section I—Name

This measure shall be designated as the Protect Fort Ord Open Space Access Initiative.

Section II—Purpose

The purpose of the Protect Fort Ord Open Space Access Initiative ("Initiative") is to modify and enforce sections of the Fort Ord Reuse Plan ("Reuse Plan") to protect essential access points to the recreational areas of Fort Ord and preserve the quality of open space and habitat in approximately 540 acres located on the north and north west sections of the former military base with significant oak woodlands.

Section III—Findings

1. The Fort Ord Reuse Authority ("FORA") was created by State legislation to oversee the civilian reuse and redevelopment of the former Fort Ord military base in 1994.
2. The Reuse Plan, adopted by FORA, is the planning document which governs the uses of Fort Ord properties.
3. For 20 years, the intersection of Gigling and 8th Avenue located on the border of Seaside and Monterey County, and the Jerry Smith Corridor located on Intergarrison Road, have served as key entry points for locals and visitors alike to the open spaces that connect to the newly created Fort Ord National Monument.
4. The open spaces of Fort Ord are a unique resource which can serve to bolster the local economy by attracting visitors to a broad variety of recreation opportunities, as well as enhance quality of life for residents.
5. The Outdoor Industry Foundation reports that active outdoor recreation contributes \$46 billion annually to California's economy, supporting 408,000 jobs and generating \$3.1 billion in annual state tax revenue and \$28.1 billion in annual retail sales and services.
6. The Stanford Research Institute's 2011 report, commissioned by the County of Monterey, recommended expanding eco-recreation opportunities to bolster the local economy.
7. The areas of Fort Ord protected by this Initiative are currently utilized during significant outdoor events which bolster the local economy, including the Sea Otter Classic bike races, Desert Gold Endurance Ride for equestrians, Mud Run and CCCX bike competition.
8. While the cities of Carmel and Pacific Grove have 5.51 and 7.1 acres of park/open space per 1,000 residents, respectively, the cities of Seaside and Marina have only 0.17 and 0.72 acres of park or open space per 1,000 residents.
9. Consultants hired by FORA to assess the Reuse Plan found that approximately 4,000 residential units and 600,000 square feet of office, retail and industrial space are currently entitled but not yet built in Fort Ord, creating excess supply without the demand.
10. The same consultants hired by FORA found that policies protecting oak woodlands and trail access in the Reuse Plan have not been fulfilled by the jurisdictions.

Section IV—Fort Ord Reuse Plan Amendments

A. Section 3.9.2 of the Reuse Plan identifies a "Community Park District", which is described as a 50-acre community park south of Gigling Road at 7th Avenue. The City of Seaside has modified its General Plan to zone this area for high-density residential housing. This Community Park District shall remain as originally planned. The key paragraph of the Reuse Plan establishing this Community Park District is below:

"Community Park District

This District is designated as a community park that encompasses an undeveloped area adjacent to the DFAS. The topography is gently rolling and significant portions of the designated park are covered in oak woodland. The park is accessible from Gigling Road and is located in the center of the University Planning Area, providing a large park area for CSUMB, University Village residents and the POM Annex residents."

The location of the Community Park District is marked on the map at Exhibit A with a number 1.

B. Section 3.10.2 of the Reuse Plan references approximately 50 acres at the southwest corner of the land of the former landfill for office/R&D development, known to local residents as Whispering Oaks. This land was originally designated for inclusion in a State Park or some form of open space in the environmental impact report of the Reuse Plan and changed at the final stages of adoption with the addition of a single paragraph specifying an office development. This paragraph shall be modified, restoring the land's status as open space. Changes to the paragraph are shown below; deleted text is shown as stricken while added text is shown as underlined:

"Approximately 50 acres located at the southwest corner of the former landfill site, adjacent to the Marina City limits and Inter-Garrison Road is ~~suitable for office/R&D development by the University of California.~~ designated for open space/recreational uses.

Whispering Oaks is marked on the map at Exhibit A with a number 2.

C. Section 3.10.2 of the Reuse Plan designates the Marina Community Park, with a total of 70 acres north and south of Intergarrison Road. This community park shall remain as planned, while noting that after the Reuse Plan was adopted, the small segment north of Intergarrison Road was designated habitat management and the southern parcel presumably reconfigured. The key paragraph in the Reuse Plan describing this Marina Community Park is below, with stricken language to reflect the change:

"Projected Land Uses for the City of Marina Community Park:

Open Space/Recreation Land Use. A total of 70 acres are reserved for active recreational use ~~on portions both north and south of Intergarrison Road.~~ The facilities will be incorporated into the existing oak woodland and chaparral landscape."

The Marina Community Park is marked on the map at Exhibit A with a number 3.

D. Section 3.10.4 of the Fort Ord Reuse Plan, entitled "Eucalyptus Road Planning Area" shall be amended to specify that Army Parcels E19a.1 (approximately 71 acres) and E19a.3 (approximately 302 acres) shall be designated for open space/recreational uses, except that golf, horse racing, and fee-for-entry spectator arenas shall not be permitted. Changes to Section 3.10.4 are shown below; deleted text is shown as stricken while added text is shown as underlined. The two parcels in the Eucalyptus Road Planning Area are marked on the map at Exhibit A with the number 4.

"3.10.4 Eucalyptus Road Planning Area

The Eucalyptus Road Planning Area is predominately undeveloped and served by substandard roadways. The west

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end area includes facilities retained in the Military Enclave and a Public Benefit Conveyance request by the Monterey Salinas Transit District. It includes two Districts: 1) the University Corporate Center District; and 2) the Residential/Recreational Center District. In order to protect the key recreational access point at Gigling Road and 8th Avenue, a citizen initiative was approved designating Army Parcels E19a.1 and E19a.3, totaling approximately 373 acres, as open space/recreation, and further establishing that golf, horse racing, and fee-for-entry spectator arenas shall not be permitted uses on these properties. To accommodate recreational uses, parking shall be created, including appropriate spaces for equestrian trailers. To preserve the open space quality of the area, no more than a total of 3 acres shall be converted to parking.

University Corporate Center District

This area includes the University Corporate Center located along the extension of Gigling Road. This area is located outside of the core infrastructure area. However, it is directly adjacent to the planned Salinas Transit Center and U.S. Army Motor Pool and located along the Gigling Road extension that is expected to be provided in the earlier stages of development. Because of the regional roadway improvements, this location will be on the corridor that connects the Main Gate interchange and the Davis Street connection to Salinas.

Projected Land Uses:

Business Park/Light Industrial Land Use. The University Corporate Center will occupy approximately 209 acres and accommodate approximately 1.37 million sq. ft. of Business Park/Light Industrial Land Use.

Public Facilities Land Use. Approximately 84 acres are reserved for the Monterey Salinas Transit Center and for use by the U.S. Army for various uses, including the U.S. Army motor pool.

Retail and Services Land Use. A one-acre site is projected for convenience retail and services supporting outdoor recreational activities accommodating approximately 11,000 sq. ft.

General Development Character and Design Objectives - To achieve the community design vision, the County shall implement the following:

1. Establish site planning, bulk, and massing criteria to integrate development into the existing topography and natural habitat so as to minimize grading and oak tree removal (see Section 4.4.3 Conservation Element.)
2. Coordinate development within this district with the preparation of a specific plan or other planned development mechanism to achieve the potential integrated design that can integrate the commercial development with the adjacent CSUMB campus, Monterey/Salinas Transit Center and U.S. Army motor pool.

Residential/Recreation Center District

This District is designated to include a significant new residential area at the perimeter of the BLM lands and to link the POM Annex residential district in Seaside with the CSUMB housing areas north of Intergarrison Road. This district is designated as SFD Low Density Residential in order to provide the flexibility to retain portions of the significant oak woodland community. A focal point of this community could be a golf course and visitor serving hotel.

Projected Land Uses:

Residential Land Use. This area will accommodate various density of residential land use in a total area of approximately 520 acres and accommodating approximately 3,184 dwelling units.

Retail and Services Land Use. A one-acre site is projected for convenience retail and services accommodating approximately 11,000 sq. ft.

General Development Character and Design Objectives - To achieve the community design vision, the County shall

implement the following:

1. Establish site planning criteria to integrate development into the existing topography and natural habitat so as to minimize grading and oak tree removal (See Section 4.4.3 Conservation Element.)
2. 3. Coordinate development within this district with the preparation of a specific plan or other planned development mechanism to achieve the potential integrated design that can integrate the residential development with the potential golf course and hotel operations. promote eco-tourism opportunities presented by the open space areas and trails linking to the Fort Ord National Monument.
3. 4. Coordinate the design and character of a perimeter regional trail to provide an effective boundary between the residential development and adjacent BLM protected habitat. (See Section 4.3 Recreation and Open Space Element, Section 4.4.3 Conservation Element, and Section 4.6.2 Safety Element.)
4. 5. Consider providing centralized equestrian facilities as amenities for the new neighborhoods to take advantage of the trails with the adjacent BLM lands."

E. This Initiative shall not be interpreted to prevent other amendments to the Eucalyptus Road Planning Area, provided the open space provisions of this Initiative are maintained, and affirms the designated habitat management areas which abut the afore-mentioned properties and connect them to the Fort Ord National Monument. This initiative does not alter the land uses of the parcels being planned for use as a Veterans Cemetery and its endowment parcel.

F. The Fort Ord Reuse Plan's Commercial Land Use Policy B-1 for Monterey County shall be amended to delete text shown below as stricken:

Commercial Land Use Policy B-1: The County of Monterey shall allocate land in the visitor serving category to promote the development of hotel and resort uses, along with associated commercial recreation uses such as golf courses. Visitor-serving uses shall be designated as follows:

~~Residential/Recreational District (Polygons 19a, 21a/b/e): Hotel Opportunity Site, 15 acres, 300 rooms; 18-hole Golf Course Opportunity Site, 179 acres.~~

~~Visitor-Serving Hotel/Golf Course District (Polygon 29a): Hotel Opportunity Site, 15 acres, 300 rooms; 18-hole Golf Course Opportunity Site, 149.05 acres.~~

G. The Fort Ord Reuse Plan's calculations of development intensity for various land uses, as well as corresponding tables and figures demonstrating development intensity and land uses, shall be modified to reflect the changes made by this Initiative.

Section V – Modification Only By Vote of the People

In order to maintain voter control over recreational access to the areas of Ft. Ord affected by this measure, no provision of this Initiative measure shall be changed, amended, or repealed except by a vote of the People.

Section VI -- Effective Date; Application.

This Initiative shall be deemed adopted upon the date the vote is declared by the FORA Board, and shall go into effect 10 days after that date, pursuant to Elections Code 9320. This Initiative shall apply to actions by the Fort Ord Reuse Authority and all its constituent public agencies taken on or after the effective date. Pending actions or proposals otherwise governed by this Initiative that have been initiated by the Fort Ord Reuse Authority or its constituent agencies but that are not yet final as of the effective date, or that are the subject of pending legal challenge, shall be subject to the provisions of this Initiative.

Section VII—Severability

This initiative shall be broadly construed in order to achieve the purposes stated in this initiative. If any section, sub-section,

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sentence, clause, phrase, part, or portion of this initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the initiative. The voters of the County of Monterey hereby declare that this initiative, and each section, sub-section, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, sub-sections, sentences, clauses, phrases, parts, or portions are declared invalid or unconstitutional. If any provision of this initiative is held invalid as applied to any person or circumstance, such invalidity shall not affect any application of this initiative that can be given effect without the invalid application.

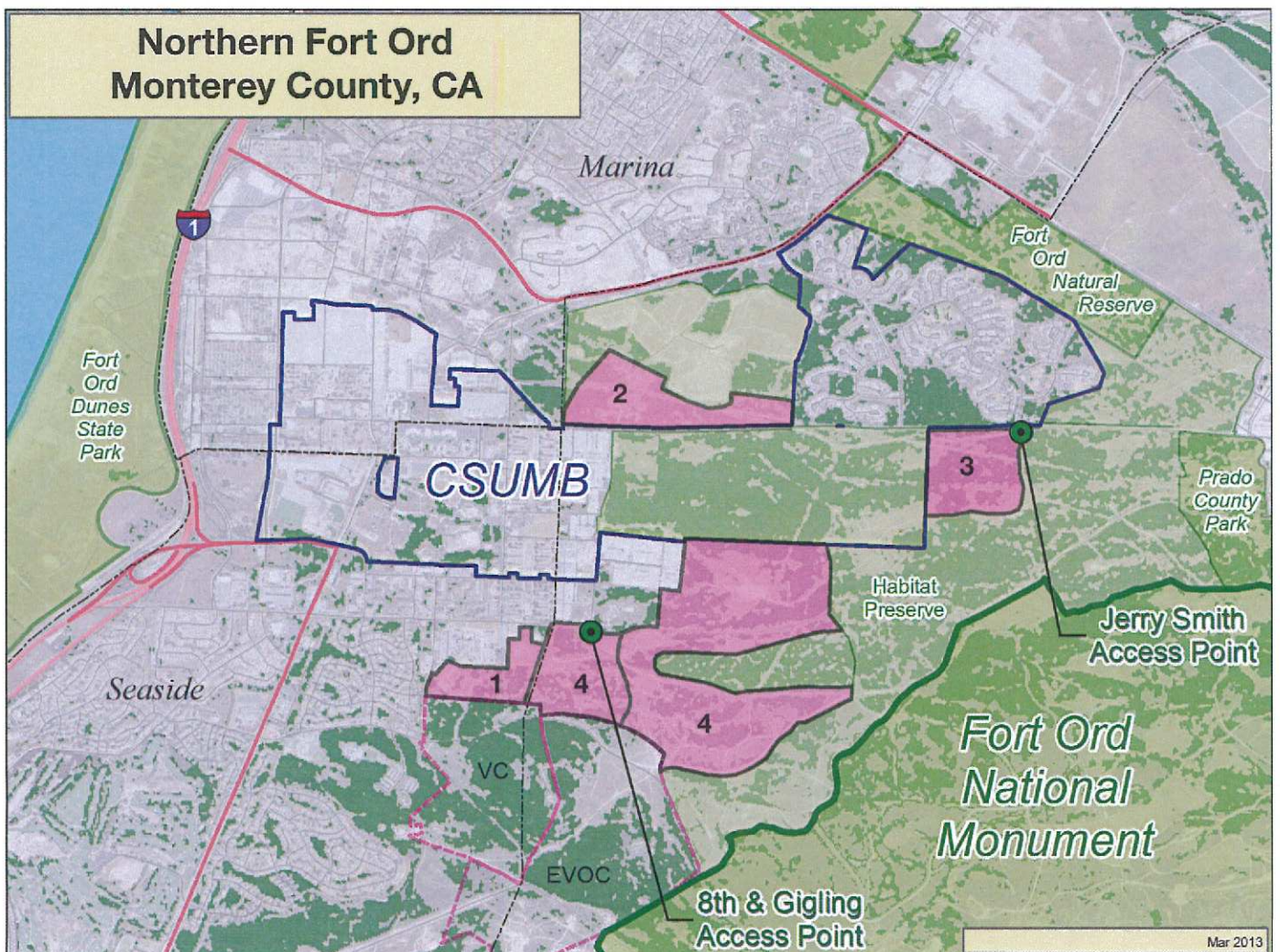
Section VIII -- Conflicting Ballot Measures

In the event that this measure and another measure or measures relating to the same or similar subject matter shall appear on the same election ballot, the provisions of the other measures shall be deemed in conflict with this measure. In the event that this measure shall receive a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the provisions of the other measure or measures shall be null and void.

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EXHIBIT A



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DECLARATION OF CIRCULATOR: (to be handwritten by the circulator after all signatures on this section of the petition have been obtained)

I, _____, am a voter or qualified to register to vote in the County of Monterey, and reside at the following address: _____
(Address, City, State, Zip)

I circulated this petition section and witnessed each appended signature on this section being written. All of the sheets constituting this petition section were fastened together at the time such signatures were made. To the best of my information and belief, each signature is the genuine signature of the person whose name it purports to be.

All signatures on this document were obtained between:

_____, 2013 and _____, 2013.
(Date of first signature) (Date of final signature)

I declare, under penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

(Circulator's Printed Name)

(Circulator's Signature)

Executed at _____, California.

(Date Signed)