

MONUMENT RV RESORT INITIATIVE MEASURE

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

To the City Council of the City of Del Rey Oaks: We the undersigned, registered, qualified voters of Del Rey Oaks, California, hereby propose amendments to the 1997 Del Rey Oaks General Plan (General Plan) and Title 17, Zoning, of the City of Del Rey Oaks Municipal Code concerning a proposed recreational vehicle (RV) park on former Fort Ord lands in the City of Del Rey Oaks, and petition the City Council to submit the same to the voters of Del Rey Oaks for their adoption or rejection at the next succeeding municipal election, or special election for which the measure may qualify, or adopt the measure without alteration, as provided for in the California Elections Code.

THE PEOPLE OF THE CITY OF DEL REY OAKS DO ORDAIN AS FOLLOWS:

Section I – Findings and Declaration of Purpose.

- A. The people of Del Rey Oaks desire to provide recreational uses in the vicinity of the Fort Ord National Monument, hereinafter National Monument, nearby Laguna Seca Raceway and Recreation Area, and the attractions of the Monterey Peninsula and Monterey Bay Region for visitors and locals to enjoy.
- B. The people of Del Rey Oaks desire to amend the General Plan and Zoning Code to specifically allow recreation oriented uses as a permitted use.
- C. The people of Del Rey Oaks want an RV park, hereinafter Monument RV Resort, of up to 210 total guest sites, including accessory and auxiliary uses, on 53.86 acres on the south end of the former Fort Ord lands in the City of Del Rey Oaks.
- D. The Monument RV Resort will provide jobs and dramatically impact the financial well-being of the City of Del Rey Oaks. The people of Del Rey Oaks want Monument RV Resort to be built as soon as possible.
- E. The Monument RV Resort will coexist harmoniously with the National Monument and lands designated for habit management under the Fort Ord Installation-wide Multispecies Habitat Management Plan (HMP).
- F. Infrastructure for water, sewer, and other services will be extended to the Initiative Measure Area boundaries (boundaries are reflected in [Figure 3, Initiative Measure Area](#)

and [Approximate Development Phasing](#), which appears later in this document), and adequate capacity is available to serve the intended uses.

- G. The Monument RV Resort developer will pay Impact Fees to the Fort Ord Reuse Authority (FORA) in order to fund fair share contributions to transportation improvements, service infrastructure, and habitat management.
- H. The Monument RV Resort's location on the Monterey Peninsula provides convenient overnight visitor accommodations that will help reduce traffic trips to and from events in the region.
- I. The development of the former Fort Ord lands within the Initiative Measure Area boundaries will meet certain hazardous and toxic clean-up levels as specified by the State of California and FORA.
- J. The citizens of Del Rey Oaks intend development of an RV park within the Initiative Measure Area (as described in Section 4, Monument RV Resort Description and as shown in [Figure 3, Initiative Measure Area and Approximate Development Phasing](#), which appears later in this document) to meet certain general and environmental standards set by FORA in its Master Resolution, Chapter 8, Base Reuse Planning and Consistency Determinations, as well as Base Reuse Plan (Fort Ord Reuse Plan) policies applicable to the Del Rey Oaks Fort Ord territory.
- K. The citizens of Del Rey Oaks intend the Monument RV Resort to be developed in a manner to protect the public health, safety, convenience and general welfare of the people and community of Del Rey Oaks.
- L. THEREFORE, the people of the City of Del Rey Oaks hereby propose this Initiative Measure to:
 - 1) Enact a General Plan and Zoning Code Amendment in furtherance of the existing General Plan of the City;
 - 2) Provide general and environmental standards that demonstrate consistency with the FORA Master Resolution, Chapter 8, Base Reuse Planning and Consistency Determinations and Fort Ord Reuse Plan policies; and
 - 3) Require any amendment of this Initiative Measure to be approved by the voters, except to further the purposes of this Initiative Measure.

Section 2 – Del Rey Oaks General Plan Amendment

- A. The following strikethroughs and underlines are amendments to the 1997 Del Rey Oaks General Plan “General Commercial-Visitor” land use designation and “Annexations to the City” sections in the form of text deletions and additions respectively.
- B. The Del Rey Oaks General Plan shall designate, in whole, the Initiative Measure Area as “General Commercial-Visitor” (GC) on the City’s General Plan Land Use Map (Del Rey Oaks General Plan Figure 2) and modify the text of the General Commercial-Visitor (GC) land use designation on page 28 of the City’s Adopted 1997 General Plan as follows:

General Commercial-Visitor (GC)

This designation is applied to land intended to accommodate the widest range of commercial, recreational, retail, wholesale, and office uses, as well as similar compatible uses. These uses may include, but are not limited to, hotel, motel, restaurants, conference center, golf course, specialty retail shops, fitness center, corporate office center, office park, recreational vehicle (RV) park, and similar visitor serving businesses, and recreation oriented uses. The General Commercial designation ~~has been applied~~ applies to the central portion of the City east of Highway 218 at North South Road (General Jim Moore Boulevard) as well as a portion of the Fort Ord Reuse planning area. ~~To be requested for annexation. The General Commercial designation may also accommodate motels, hotels, restaurants, golf courses, fitness centers, conference centers, and similar businesses oriented toward tourists.~~

- C. As a part of this Amendment to the City’s General Plan, Office Professional (O) and/or Business Park/Light Industrial/Office/R&D designations within the Initiative Measure Area boundaries are removed.
- D. As a part of this Amendment to the City’s General Plan, card rooms and casinos are prohibited on former Fort Ord lands (Fort Ord Reuse Plan, Commercial Land Use Policy B-2; B-3, 1997).
- E. As a part of this Amendment to the City’s General Plan, additional amendments to the General Plan text are made to clarify that the former Fort Ord lands identified in the City’s General Plan have been annexed and are a part of the City’s incorporated boundaries; and further to clarify the intent of the City to include and allow other recreational uses, either with a golf course or independent of a golf course; further modify the text on page 28 of the City’s Adopted 1997 General Plan identified as “Annexations to the City” and “Table 1, Summary of Del Rey Oaks General Plan Update Land Use Designations” as follows:

Annexations to the City

The City of Del Rey Oaks ~~will be requesting~~ has annexed parcels located within the Fort Ord Reuse Planning area ~~for annexation.~~ A summary of complete development, or “buildout” of the City, ~~and including the Fort Ord Reuse area lands~~ the City ~~will be requesting for~~ has annexation annexed is provided in Table 1.

~~The~~ When the General Plan designates land beyond the current City limits ~~at Fort Ord~~ for future urban development, ~~When evaluating~~ the appropriateness of future annexations to the City, ~~the following criteria~~ should be ~~considered~~ evaluated using the following criteria:

- The costs and capability of providing adequate public facilities and the levels of government services required.

Table 1	
Summary of Del Rey Oaks General Plan Update	
Land Use Designations	
Land Use	Unit
Single-family Residential	5 dwelling units
Conference Center*	44 gksf
Hotel*	316 rooms
Golf Course <u>and/or other recreational uses</u> *	155 acres
Retail (Specialty Shops)*	30 gksf
Fitness Center*	10 gksf
Office Park*	300 gksf
Corporate Office Center*	75 gksf
Retail Commercial	43.5 gksf
Office Park/Hotel	205 rooms
Total Office Park/Conference Center	419 gksf
Total Residential/Hotel	525 units
Total Golf <u>and/or other recreational uses</u>	155 acres
Total Commercial/Retail	83.5 gksf

* Parcels within the Fort Ord reuse area ~~which will be requested for annexation into the City of Del Rey Oaks.~~

Gksf = gross thousand square feet

Sources: City of Del Rey Oaks

- The effects on adjacent areas, on mutual social and economic interests, and on the government structure of the City.
 - Conformity with LAFCO policies which seek efficient patterns of urban development, including encouraging the guiding of urbanization away from existing productive agricultural lands and encouraging development of existing vacant or non-prime lands within the existing urban area before allowing development outside the current boundaries.
- F. Delete Figure 2A, Fort Ord Annexation Area Proposed Project Land Use Concept (attached and incorporated herein), as this “proposed project land use concept” is not necessary to implement the City’s General Plan on the Fort Ord lands. The desired land use designations are already provided in Figure 2, the City’s General Plan Land Use Map.
- G. Modify Land Use Element Goal 6 and 8 as follows:
6. ~~Annex the~~ The properties on Fort Ord have been annexed by the City to provide additional sites for economic development with potential revenue generating land uses.
 8. Plan intensification of existing development, and ~~expansion of the~~ City limits have been expanded to include areas identified in the Fort Ord Reuse Plan.
- H. Delete Land Use Element Policy L-2 on page 32 and the first sentence of “Annexations to the City” on page 74 of the City’s 1997 General Plan, as annexation of the former Fort Ord lands has already occurred. The deletion of Policy L-2 (page 32) and the sentence on page 74 is as follows:

~~L-2 — The City shall work with the Local Agency Formation Commission (LAFCO) to define the City’s Sphere of Influence and prepare a plan for providing services for the Fort Ord reuse area to facilitate annexation.~~

Annexations to the City

~~The General Plan Designates land beyond the current city limits at Fort Ord for future urban development.~~ When evaluating the appropriateness of future annexations to the City, the following criteria should be considered:

1. The costs and capability of providing adequate public facilities and the levels of government services required.

2. The effects on adjacent areas, on mutual social and economic interests, and on the government structure of the City.
3. Conformity with LAFCO policies which seek efficient patterns of urban development, including encouraging the guiding of urbanization away from existing productive agricultural lands and encouraging development of existing vacant or non-prime lands within the existing urban area before allowing development outside the current boundaries.

Section 3 – Del Rey Oaks Zoning Code Amendment

- A. In order to provide for recreational use, the following strikethroughs and underlines hereafter are amendments to the Del Rey Oaks Zoning Code in the form of text deletions and additions respectively.
- B. The Del Rey Oaks Zoning Map adopted pursuant to Chapter 17.04 of the Del Rey Oaks Municipal Code, Title 17, (the Zoning Map) designates the Initiative Measure Area as Neighborhood Commercial (Chapter 17.24) with a Visitor Commercial Overlay Zone (Chapter 17.32). The combination of these two designations is identified on the Zoning Map as C-1-V. The C-1 District (Chapter 17.24) is the base district, and is modified by the Visitor Commercial (V) Overlay Zone (Chapter 17.32). The Visitor Commercial (V) Overlay Zone (Chapter 17.32) of the City’s Zoning Code is modified as follows:

Chapter 17.32

VISITOR COMMERCIAL OVERLAY ZONE

Sections:

17.32.010 Description and purpose of visitor commercial overlay district.

17.32.020 Definitions.

17.32.030 ~~Permitted principal uses.~~

17.32.0340 Conditional uses.

17.32.0450 Accessory uses permitted

17.32.0560 Performance standards.

17.32.0670 Cessation of land use – use permits.

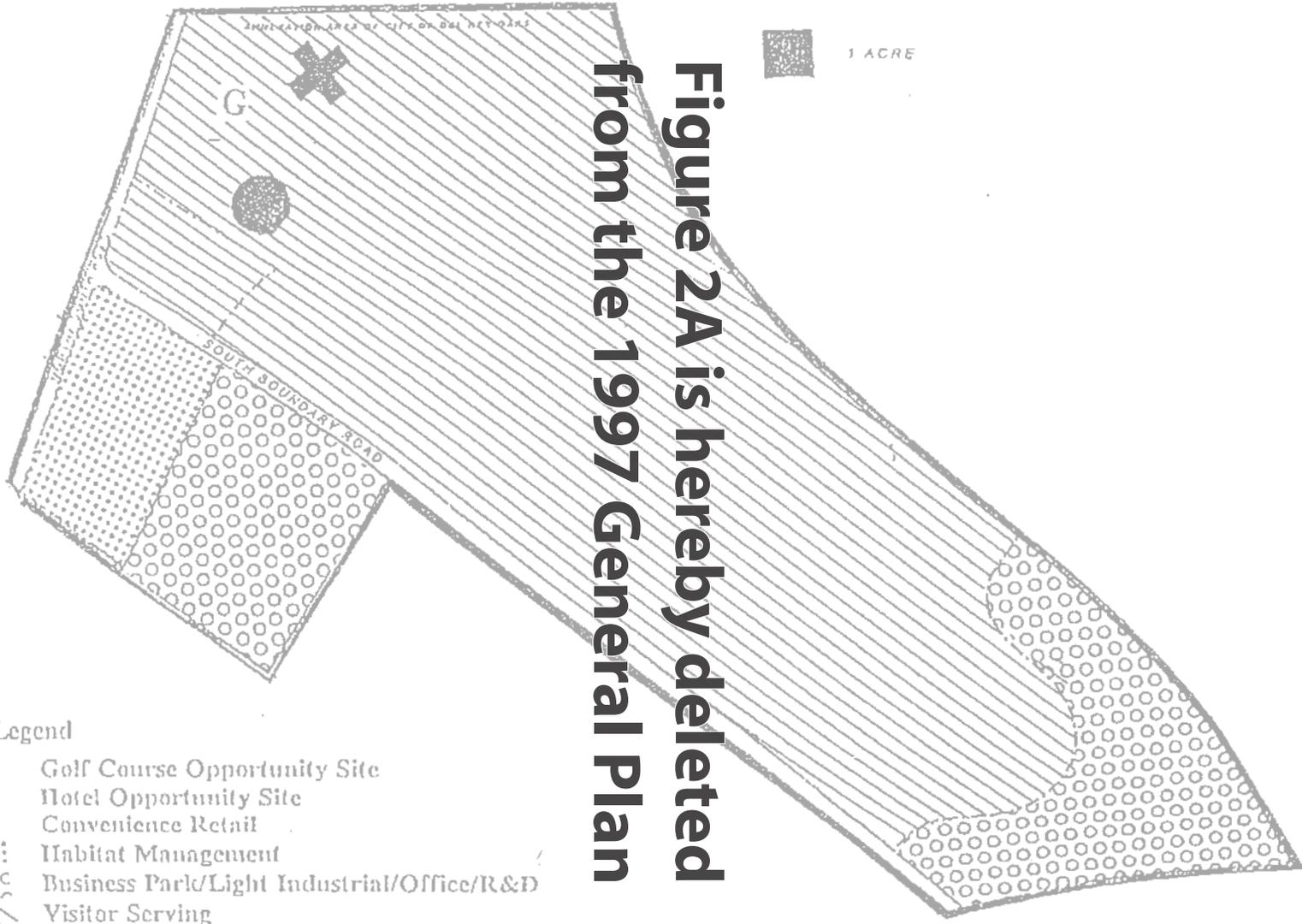
~~**17.32.070** Use permits.~~

17.32.010 Description and purpose of visitor commercial overlay district.

This overlay district is to provide for the establishment and control of visitor accommodation and recreation oriented uses within the City and to specify property development standards for such uses (Prior code § 11-205-B-6(1)).

Figure 2A - Map to be removed from 1997 General Plan

**Figure 2A is hereby deleted
from the 1997 General Plan**



- Legend
- G Golf Course Opportunity Site
 - # Hotel Opportunity Site
 - Convenience Retail
 - Inhabitat Management
 - Business Park/Light Industrial/Office/R&D
 - /// Visitor Serving

Fort Ord Annexation Area Proposed Project Land Use Concept

Figure 2A

DENISE DUFFY & ASSOCIATES

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17.32.020 Definitions.

For the purposes of this chapter, the following definitions shall apply:

“Accessory use” means a use customarily, incidental, related and subordinate to the principal use of the property.

“Auxiliary use” means a use ~~included within a building or building complex~~ that is auxiliary in nature to the principal use of the property.

“Inn” or “resort/conference hotel” means an all suites hotel located on a parcel of land not less than ten acres in area, providing no outside entrances for non-hotel business purposes and using no streets for non-hotel business or business displays (Prior code § 11-205-B-6(7)).

17.32.030 Permitted principal uses.

In the visitor commercial overlay district, the following principal uses are permitted:

- A. Recreational Vehicle (RV) parks and other recreational related activities and uses;
- B. Park models and similar uses;
- C. Clubhouses, gathering places, social halls, and lodges;
- D. All principally permitted uses in the C-1 district;
- E. Auxiliary uses to recreational vehicle parks, other recreational related activities and uses and clubhouse, gathering places, social halls, and lodge uses.

17.32.0340 Conditional Uses.

In the visitor commercial overlay districts, the following ~~conditional~~ uses are permitted subject to obtaining a use permit:

- A. Inn or resort/conference hotel;
- B. Auxiliary uses to inn or resort/conference hotels (that are listed as permitted or conditional uses in the C-1 district, including restaurants, cocktail lounges, and assembly rooms) (Prior code § 11-205-B-6(2)).

17.32.0450 Accessory uses permitted.

In the visitor commercial overlay zone, ~~districts—the following~~ accessory uses and buildings customarily appurtenant to a permitted or conditionally permitted use are permitted.

~~Newsstands; gift shops; game rooms; laundry and dry cleaning pick-up; and personal services such as beauty shops; barber shops; and shoe services if so located and operated as to serve hotel guests only with no outside exposure or advertising that would serve to attract the general public. (Prior code § 11-205-B-6(3))~~

17.32.0560 Performance standards.

In the visitor commercial overlay districts, the following performance standards are required:

A. Occupancy. Occupancy shall not be permitted nor established for a period in excess of thirty (30) consecutive days, unless a longer occupancy is allowed by the Municipal Code or ~~so provided by City~~ Code or ~~and the City Council's issuance of issues~~ a use permit to extend the occupancy limit.

B. The property development standards in the C-1 zone (Section 17.24.040 of the Municipal Code) do not apply, unless otherwise specified in this Chapter 17.32.

C. The other required conditions in the C-1 zone (Section 17.24.050 of the Municipal Code) apply, with the exception that uses may be conducted either inside or outside of a building, or both; the surface material used for access, parking, and lodging areas may be other than asphalt concrete or portland cement so long as such surface materials are consistent with best management practices (BMPs) and subject to approval of the city engineer, and underground utilities are required and not subject to variance or city council approval, but approval by the city engineer.

~~B. Kitchen or Cooking Facilities. Kitchen or cooking facilities shall be limited to convenience of "entertainment" appliances. No kitchenettes, stove tops, hot plates, convection ovens or separate cooking areas shall be permitted. Limited food preparation facilities shall be allowed as part of the all-suites concept proposed for and in this entertainment/food preparation area, located in the living room in conjunction with, and as part of, the entertainment center, shall include: stereo/radio, television, VCR, bar size sink, microwave and minibar which shall be included as part of the half-size under counter refrigerator.~~

~~C.D.~~ Parking. With the exception of recreation oriented and clubhouse-type uses, Pparking shall be as required by Section

17.24.040, with fifty (50) percent reduction of parking required for auxiliary uses that primarily serve guests within hotel. Parking for recreation oriented and clubhouse-type uses shall be subject to the approval of the city manager. ~~(Prior code § 11-205-B-6(4))~~

17.32.0670 Cessation of land use – use permits.

~~No change of land use can occur in this district without specific authorization. (Prior code § 11-205-B-6(5))~~

~~**17.32.070 Use Permits.**~~

~~Upon cessation of a land use conducted under the provisions of a use permit, for a period of six consecutive months, the City Council shall may initiate proceedings to terminate the use permit. Consider general plan and rezoning of the property as appropriate. (Prior code § 11-205-B-6(6))~~

17.32.080 Prohibited Uses

Card rooms and casinos are prohibited uses within this overlay zone and on former Fort Ord lands.

Section 4 – Monument RV Resort Description

- A. Monument RV Resort is a recreational and visitor-serving facility, desired by the people of the City of Del Rey Oaks, to be located within the Initiative Measure Area on the former Fort Ord land within Del Rey Oaks. The regional and vicinity location are illustrated in [Figure 1, Regional/Vicinity Location](#), attached hereto and incorporated herein by reference. The Initiative Measure Area is approximately 53.86 acres of the eastern most portion of the City’s Fort Ord lands identified in [Figure 2, Del Rey Oaks Fort Ord Lands](#), attached hereto and incorporated herein by reference. Monument RV Resort was inspired by the desire to provide Recreational Vehicle (RV) users a quality facility to stay near the Fort Ord National Monument, while enjoying all that the Monterey Peninsula has to offer.

Phase I

The Monument RV Resort may be developed in three phases. The Monument RV Resort Initiative Measure Area boundaries, in the context of the Del Rey Oaks former Fort Ord lands, and the intended development phasing within the Initiative Measure Area boundaries is illustrated in [Figure 3, Initiative Measure Area and Approximate Development Phasing](#), attached hereto and incorporated herein by reference. Phase I consists of 71 RV sites and a 7,670 sq. ft. great lodge on approximately 17 acres of the 53.86 acre property and includes: administrative area, general store, congregation area,

game room, fitness center, and a two restroom/shower/laundry facilities. Phase I will also include an outdoor pool & spa, patio area, kids playground, dog run, walking trails, and a 2,025 sq. ft. operations building. [Figure 4, Monument RV Resort Concept Plan](#), illustrates the conceptual Monument RV Resort Plan, which is the intended development within the Initiative Measure Area boundaries.

Phase II & III

Phase II may consist of an additional 38 RV sites on approximately 10 acres, bringing the total to 109 RV sites. Phase III may consist of 101 additional RV sites on approximately 26 acres, and a 2250 sq. ft. pavilion to be located near the great lodge. The total build out of the project consists of approximately 210 RV sites and 13,595 sq. ft. of buildings. The walking trails implemented in Phase I will be adjusted or removed with the implementation of Phases II and III.

- B. The size of the Monument RV Resort facilities and the implementation of the phasing plan described herein are within the sole discretion of the Monument RV Resort Initiative Measure Area developer, so long as the total build out of the project does not exceed 210 RV sites and 13,595 sq. ft. of buildings.
- C. The Monument RV Resort will dramatically impact the financial well-being of the City of Del Rey Oaks. Economic estimates are based on a rate of \$70 per night for each RV space. The City’s Recreational Facility Users Fee (Ordinance 281) requires that the development pay the City ten percent (10%) of gross rental revenues. The City’s projected income is calculated based on the three proposed development phases, with a 60% occupancy scenario for each phase. The figures below are intended to serve as approximations of revenues the Monument RV Resort will generate for the City.

Phase I:

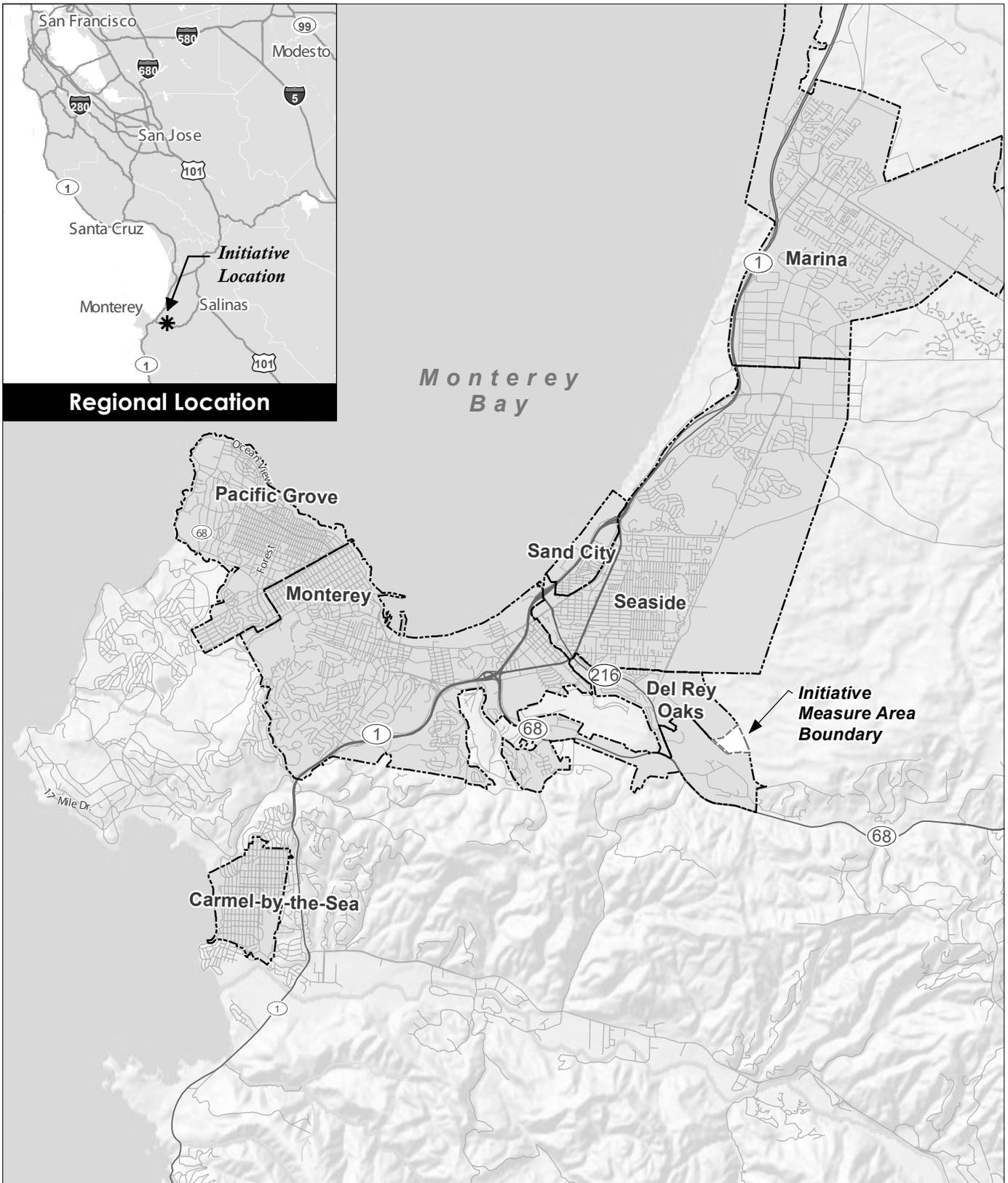
- 71 sites, assuming rate of \$70/night
 - 60% occupancy = ~\$107,352 annually

Phase II:

- 109 sites, assuming rate of \$70/night
 - 60% occupancy = ~\$164,808 annually

Phase III:

- 210 sites, assuming rate of \$70/night
 - 60% occupancy = ~\$317,520 annually



Source: Esri 2015

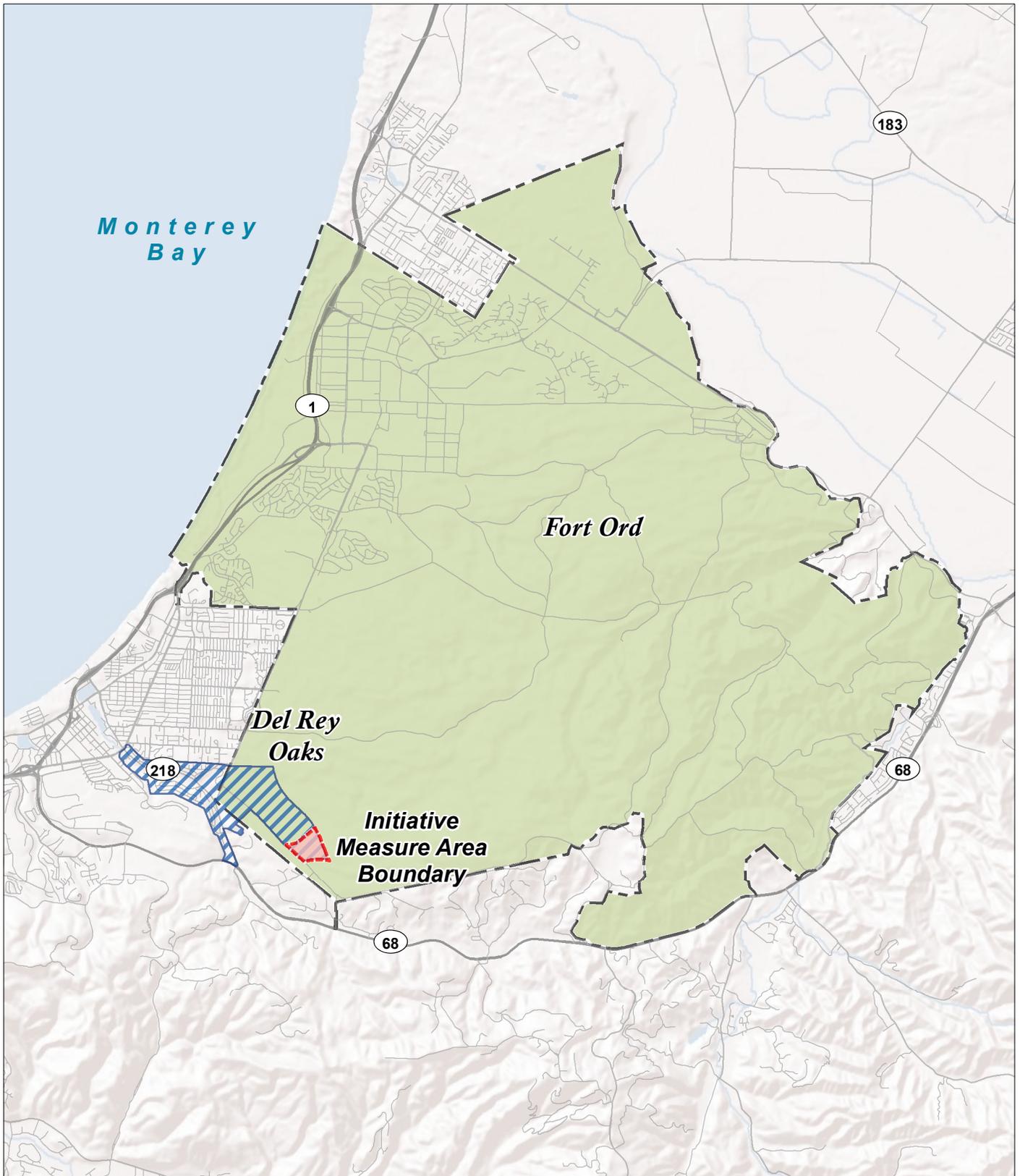
Figure 1

Regional/Vicinity Location

Monument RV Resort Initiative Measure



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Source: Esri 2015, Fort Ord Reuse Authority 1996

Figure 2

Del Rey Oaks Fort Ord Lands

Monument RV Resort Initiative Measure



0 1.5 miles

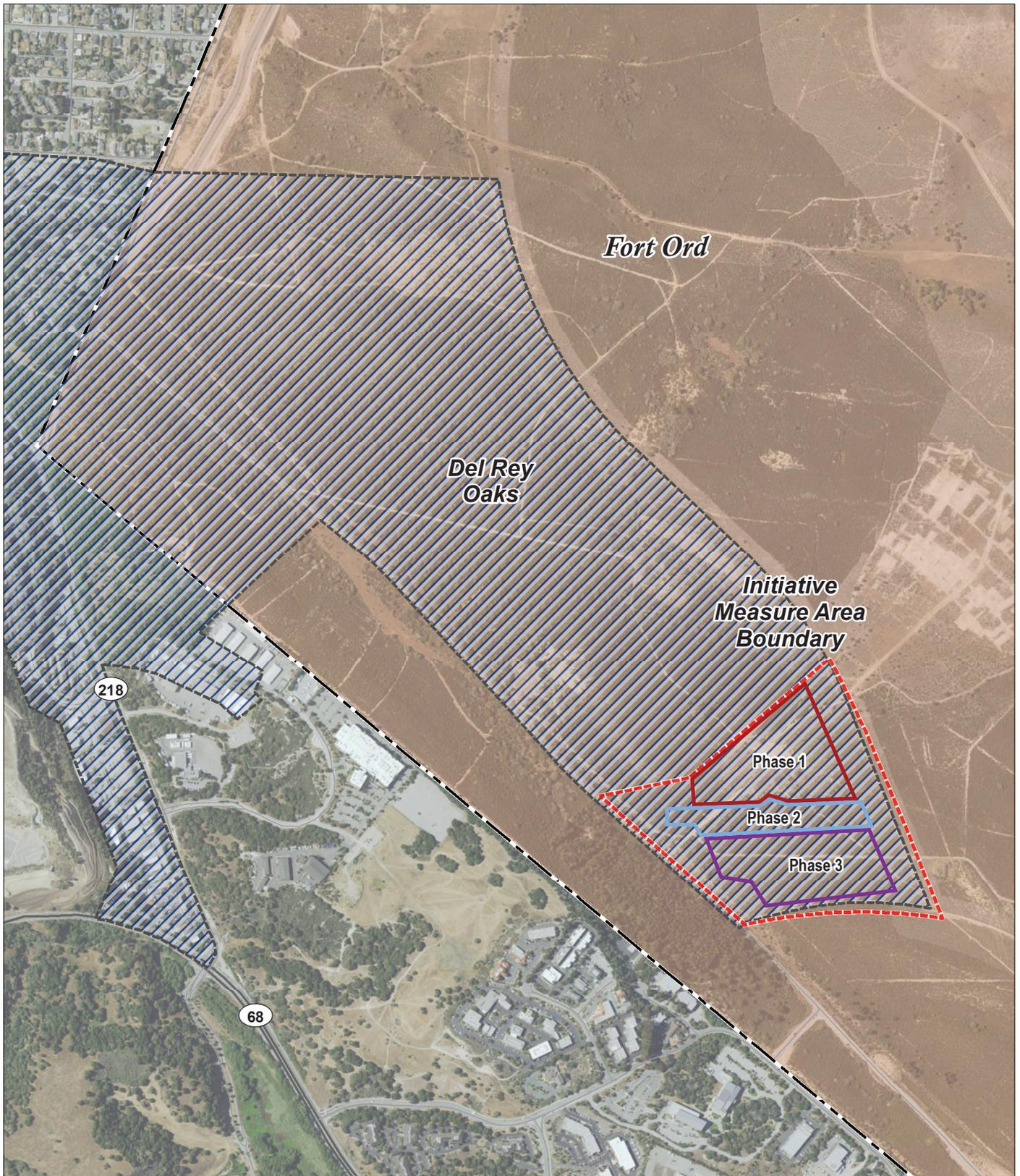
 Initiative Measure Area Boundary

 Del Rey Oaks

 Fort Ord Boundary



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0 1,000 feet

Initiative Measure Area Boundary

Del Rey Oaks

Fort Ord Boundary

Source: Esri 2015, Fort Ord Reuse Authority 1996

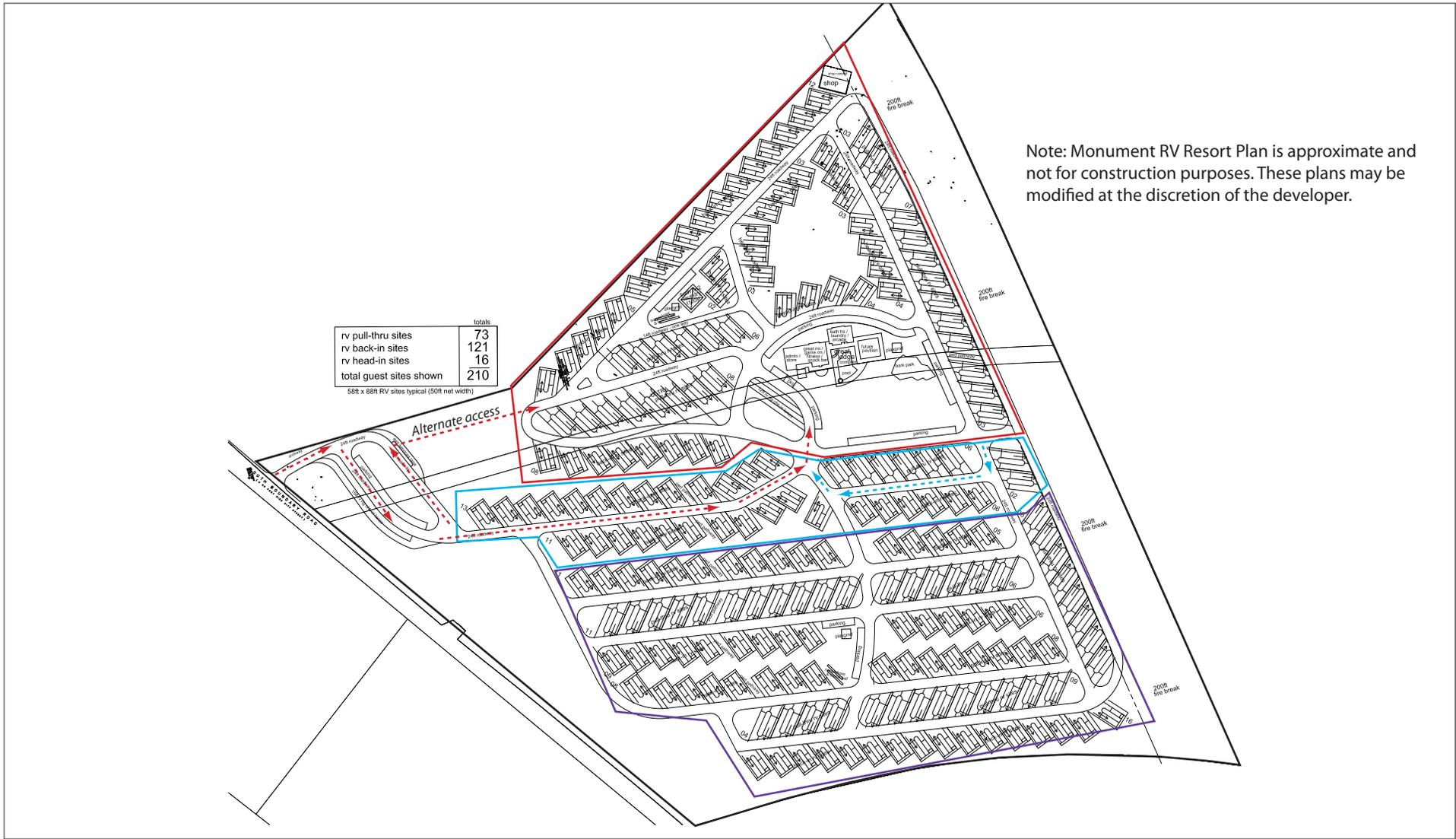
Figure 3



Del Rey Oaks Initiative Measure - Development Phasing

Monument RV Resort Initiative Measure

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Initiative Measure Area Boundary

- Phase 1 (71 sites)
- Phase 2 (38 sites)
- Phase 3 (101 sites)

- Road for Phase 1
- Road for Phase 2

Source: Ron D. Beard and Associates 2015



Figure 4
Monument RV Resort Concept Plan
 Monument RV Resort Initiative Measure

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Not only does the Monument RV Resort bring economic benefits to the City of Del Rey Oaks via the Recreational Facility Users Fee (Ordinance 281), but also positively impacts the local economy as Resort visitors are anticipated to utilize local businesses.

Economic forecasts are a result of market analyses, supported by market data provided from the California Association of RV Parks and Campgrounds (CalARVC). Data provided by the CalARVC from 2008 to 2011 show RV park occupancy in the Central Coast region grew from 55.5% to 65.4%. While many variables must be taken into consideration (economic climate, park conditions & amenities, etc.), it is conservative to assume that Monument RV Resort, as a new recreational facility adjacent to the National Monument, can maintain an average annual occupancy of ~60%. This occupancy forecast is based on reliable RV Park occupancy metrics and is conservative, as it is lower than the average occupancy rate in the region.

The Monument RV Resort developer shall pay Development Impact Fees and a Facility Users Fee (Ordinance 281) which benefits the City financially. Further, the increase in local and out of town visitors drawn to the area to utilize the Monument RV Resort, benefits local businesses. Additionally, the payment of FORA's Impact Fees "mitigates the costs associated with the impact of development of the Fort Ord territory" (Resolution of the Fort Ord Reuse Authority 13-05 B., 2013)

The City shall impose or exact only those assessments, Impact Fees, dedications, other fees or mitigations on the Monument RV Resort (collectively, "Exactions") at rates in effect at the time of building permit issuance.

The developer of the Monument RV Resort shall be obligated to pay only those processing fees, including application, plan check, map review, inspection and monitoring fees and fees of outside consultants, for land use approvals, grading and building permits, and other permits and entitlements ("Processing Fees") in connection with the Monument RV Resort at rates in effect at the time of building permit issuance.

- D. The National Monument "holds some of the last undeveloped natural wildlands on the Monterey Peninsula" (Blm.gov, 2015, n.p.), as is illustrated in [Figure 5, Fort Ord National Monument](#). Home to roughly 83 miles of trail systems, the National Monument is a great place for hikers, bikers, and equestrians to explore the beautiful Central California. Many Recreational Vehicle users enjoy bicycling and trail sports, which increases the potential for these users to stay at the Monument RV Resort and utilize all that the neighboring National Monument has to offer. The National Monument already attracts more than 100,000 visitors annually, and that number is growing. The development of the Monument RV Resort on former Fort Ord land and the attraction of visitors to the National Monument supports the goal of the community-based Fort Ord Reuse Plan (1997), which

is to “promote the best use of the land through well planned and balanced development which ensures educational and economic opportunities, as well as environmental protection.”

Monument RV Resort harmoniously co-exists with the surrounding former Fort Ord lands. The Monument RV Resort is located outside the boundaries of the Fort Ord National Monument and HMP. The Initiative Measure Area is not a sensitive habitat area and is designated as a “development” parcel, with no habitat management requirements. The proximity of the Monument RV Resort Initiative Measure Area boundaries to the National Monument boundaries is illustrated in [Figure 5, Fort Ord National Monument](#), and [Figure 6, Fort Ord Habitat Management Plan](#), illustrates the distance of those boundaries from the HMP area. To ensure compatibility with the neighboring National Monument and HMP area, the Monument RV Resort includes a vegetative screening buffer, using native vegetation, on the northern perimeter of the Initiative Measure Area. The screening is designed in a manner consistent with the HMP guidelines. Roads within the buffer area adjacent to the Habitat Management area are restricted to access for maintenance or emergency use.

- E. The U.S. Army transferred 6,600 acre-feet per year (AF/yr) of Salinas Valley Groundwater Basin water rights to FORA. FORA allocated 242.5 AF/yr of potable water and 280 AF/yr of recycled water to the City of Del Rey Oaks. Through a Disposition Development Agreement (DDA) made July 10, 2014, all right, title and interest of 50 AF/yr of potable and 50 AF/yr of non-potable recycled water was assigned, conveyed, and transferred from the City’s allotment to the Initiative Measure Area or other former Fort Ord parcels upon the purchase of these development parcels on the former Fort Ord

- F. The Marina Coast Water District (MCWD) is the purveyor of water for the City of Del Rey Oaks within the former Fort Ord, also known as the Ord Community Service Area. MCWD has a water conservation ordinance, and the City of Del Rey Oaks requires the consideration of water conservation as part of all land use decisions. The Monument RV Resort employs best management practices relating to water conservation, and will connect to recycled/reclaimed water lines for irrigation purposes upon availability. Furthermore, landscaping consists largely of native, drought tolerant species from on-site stock where practical and appropriate. The Monument RV Resort utilizes a rainwater collection tank to supplement the use of non-potable water as an irrigation source.



0 1.25 miles

 Initiative Measure Area Boundary

 Del Rey Oaks

 Fort Ord Boundary

 Fort Ord National Monument

Source: Esri 2015, Fort Ord Reuse Authority 1996

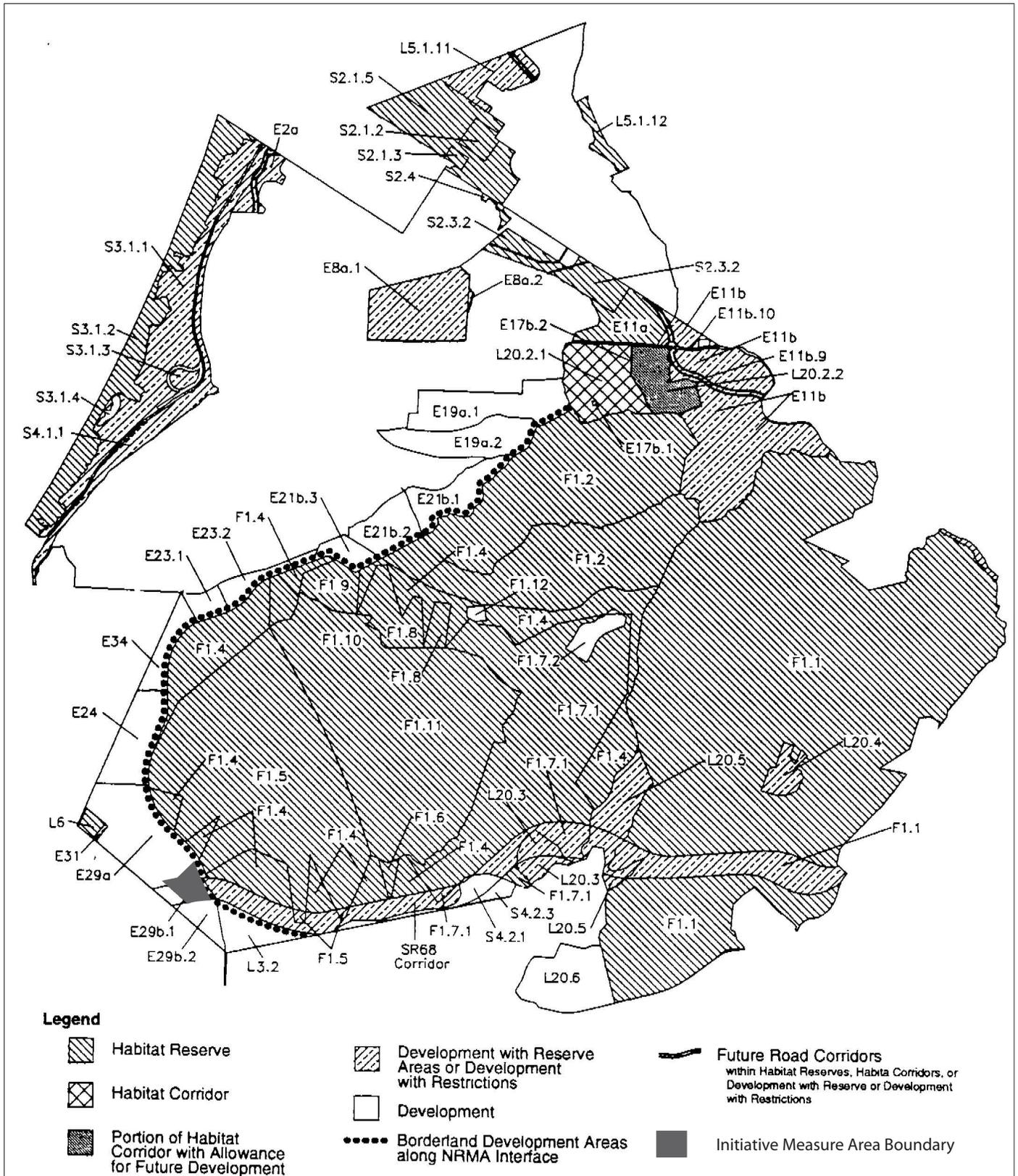
Figure 5

Fort Ord National Monument

Monument RV Resort Initiative Measure



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Source: Installation-Wide Multispecies Habitat Management Plan for Former Fort Ord, California 1997

Figure 6

Fort Ord Habitat Management Plan

Monument RV Resort Initiative Measure



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- G. The City of Del Rey Oaks is a member jurisdiction within the Monterey Regional Water Pollution Control Agency (MRWPCA) and supports all actions necessary to ensure that sewage treatment facilities operate in compliance with the waste discharge requirements adopted by the California Regional Water Quality Control Board (Fort Ord Reuse Plan, Hydrology and Water Quality Policy C-5, 1997). Seaside County Sanitation District (SCSD) provides wastewater collection services to Del Rey Oaks and to the Monument RV Resort. SCSD provides wastewater collection and conveyance to the MRWPCA force mains, which convey the wastewater to Marina for treatment in the MRWPCA regional plant. Adequate capacity exists to convey and treat the wastewater (Fort Ord Reuse Plan, Hydrology and Water Quality Policy C-7, 1997).
- H. The Monument RV Resort complies with waste reduction and recycling programs consistent with the California Integrated Waste Management Act of 1989 and Public Resources Code Section 40000 et seq. The City of Del Rey Oaks meets state mandated waste diversion rates through its agreement with its waste hauler.
- I. Development within the Initiative Measure Area, consistent with Section 4 and the 1997 General Plan and Title 17 Zoning Amendments contained herein, requires no further discretionary approvals by the City.

Section 5 – Del Rey Oaks General Plan Consistency with Fort Ord Reuse Plan

Chapter 8 of the Fort Ord Reuse Authority Master Resolution (adopted March 14, 1997 and amended from time to time), referred to herein as the “Master Resolution, requires that all general plans, specific plans and all policies and programs relating to land use, as well as all legislative land use decisions and development entitlements, be consistent with the Fort Ord Reuse Plan. Chapter 8 of the Master Resolution also sets forth the procedure for FORA to make consistency determinations, and establishes criteria (the “Consistency Criteria”) for withholding a finding of consistency.

By Resolution 98-2, included herein by reference, FORA certified that the goals, policies, programs, and land uses contained in the Del Rey Oaks General Plan are consistent with the Fort Ord Reuse Plan adopted by the FORA Board of Directors on June 13, 1997. The General Plan Amendment and Zoning Code Amendment contained herein implement the policies of the General Plan and FORA Consistency Criteria through compatible land use and design of the Monument RV Resort and are, therefore, consistent with the Fort Ord Reuse Plan.

- A. **Legislative Land Use Determination Criteria.** This Initiative Measure, and the General Plan and Zoning Code Amendments contained in this Initiative Measure, are legislative land use decisions that require consistency with the criteria contained in Section 8.02.010 of the Master Resolution. The Monument RV Resort Initiative Measure is consistent with

these criteria as it provides for land uses that are less intense and less dense than those allowed by the Fort Ord Reuse Plan for the affected property. Further, the Initiative Measure is in substantial conformance with applicable programs specified in the Fort Ord Reuse Plan and Section 8.02.020 of the Master Resolution and does not provide for uses which conflict or are incompatible with uses permitted or allowed in the Fort Ord Reuse Plan for the affected property or which conflict or are incompatible with open space, recreational, or habitat management areas within the jurisdiction of FORA. The Initiative Measure provides that the developer is responsible for the financing and/or installation, construction, and maintenance of all infrastructures necessary to provide adequate public services to the property covered by the legislative land use decision excluding water and sewer infrastructure extensions which will be provided by FORA. Finally, the Initiative Measure complies with FORA requirements for areas outside of, but adjacent to, Habitat Management Areas.

- B. Development Entitlement Consistency.** This Initiative Measure authorizes actual development of the Monument RV Resort including authorization for issuance of grading permits and building permits as well as minor subdivision approvals. Such entitlements require consistency with the development entitlement consistency criteria contained in Section 8.02.030 of the Master Resolution. The development entitlements for the Monument RV Resort are consistent with these criteria as the Monument RV Resort is a land use that is less intense and less dense than those provided for in the Initiative Measure, consistent with the Fort Ord Reuse Plan. Development of the Monument RV Resort is conditioned upon providing, performing, funding, or making an agreement guaranteeing the provision, performance, or funding of all programs applicable to the development entitlement as specified in the Fort Ord Reuse Plan and in Section 8.02.020 of the Master Resolution and consistent with local determinations made pursuant to Section 8.02.040 of the Master Resolution. Further, the Monument RV Resort is a compatible use which is permitted by the Fort Ord Reuse Plan for the affected property and is compatible with open space, recreational, or habitat management areas within the jurisdiction of FORA. The Monument RV Resort developer is responsible for the financing and installation, construction, and maintenance of all infrastructure necessary to provide adequate public services to the Initiative Measure Area, excluding the water and sewer infrastructure extensions to be provided by FORA. The Monument RV Resort implements FORA requirements for areas outside of, but adjacent to, Habitat Management Areas. The Initiative Measure Area is not within a Scenic Corridor and thus the Monument RV Resort is not subject to Highway 1 Scenic Corridor design standards. Finally, development of the Monument RV Resort is consistent with the jobs/housing balance requirements developed and approved by FORA as provided in Section 8.02.020(t) of the Master Resolution.

- C. Adoption of Required Programs.** Section 8.02.040 of the Master Resolution provides that before any development entitlement is approved within a city, the City has taken appropriate action, in the discretion of the City, to adopt the programs specified in the Fort Ord Reuse Plan, the HMP, the Development and Resource Management Plan, the Reuse Plan Environmental Impact Report Mitigation and Monitoring Plan and the Master Resolution applicable to such development entitlement. The City of Del Rey Oaks has taken appropriate action to adopt the policies and programs specified above.

Substantial evidence to support the findings of this Initiative Measure’s consistency with the Fort Ord Reuse Plan, Fort Ord Reassessment Report, HMP, Draft Installation-Wide Multi Species Habitat Conservation Plan (HCP), Development and Resource Management Plan, Reuse Plan EIR Mitigation Monitoring Plan, and Master Resolution are contained herein within Sections 6, 7, and 8.

Section 6 – Fort Ord Reuse Plan Consistency Topics

The Monument RV Resort Initiative Measure provides for land uses that are less intense and dense than those provided for in the Fort Ord Reuse Plan and is in substantial conformance with applicable programs of the Fort Ord Reuse Plan and Section 8.02.020 of the Master Resolution (Fort Ord Reuse Plan, Commercial Land Use Program B-1.1, 1997). The use proposed for the Initiative Measure Area is compatible with the Fort Ord Reuse Plan, City plans, and surrounding uses. The City’s implementation of the Initiative Measure supports the HMP through development fees and compatible land uses. Further, the implementation of the Initiative Measure will be solely financed, constructed, and maintained by the Initiative Measure Area developer, excluding extension of water and sewer infrastructure lines to be provided by FORA.

- A. The Initiative Measure Area is located outside the boundaries of the National Monument and HMP area. The Initiative Measure Area is designated as a “development” parcel with no habitat management requirements and does not require the implementation of the Fort Ord HMP. To ensure compatibility with the adjacent HMP area, the Monument RV Resort will include a 150 foot buffer on the northern perimeter of the Initiative Measure Area boundary consistent with the HMP guidelines. Roads within the buffer area adjacent to the HMP area shall be restricted to access for maintenance or emergencies (Fort Ord Reuse Plan, Recreation/Open Space Program B-2.1; Residential Land Use Program B-2.1, 1997). The Monument RV Resort developer will work in coordination with the Bureau of Land Management (BLM) and other appropriate agencies to site and design barriers to roads within the buffer zone that will prevent unauthorized vehicle access while adequately providing for emergency access (Fort Ord Reuse Plan, Biological Resources Program A-1.2, 1997).

- B. The Former Fort Ord Multi-Species Habitat Conservation Plan (HCP) provides the framework to ensure permanent conservation and enhancement of former Fort Ord natural communities and habitats that supports 19 special status plant and animal species. FORA assesses a development fee for development within former Fort Ord properties and dedicates \$1 of every \$4 of the development fee collected to build an endowment sufficient to produce annual funds that will carry out required habitat conservation responsibilities in perpetuity. The Initiative Measure Area is not located within an environmentally sensitive area (Fort Ord Reuse Plan, Recreation/Open Space Policy E-1, 1997). However, the Initiative Measure Area is a former Fort Ord property and will be subject to the FORA development fee, a portion of which will be used to fund habitat management and preservation of environmentally sensitive resources.
- C. The Monument RV Resort development is a land use that is compatible with the character of the neighboring National Monument (Fort Ord Reuse Plan, Recreation/Open Space Program B-2.1; Commercial Land Use Policy C-1, 1997). As an affordable overnight visitor accommodation for Recreational Vehicles, the Monument RV Resort specifically appeals to those who enjoy outdoor recreation and would utilize the National Monument or attend events at Laguna Seca Park. The Monument RV Resort will increase the number of visitors to the National Monument, which positively impacts the Monument and supports the goal of the community-based Fort Ord Reuse Plan in promoting “the best use of the land through well planned and balanced development which ensures educational and economic opportunities....” The Monument RV Resort will also provide affordable overnight accommodations that may not currently exist for people attending events at Laguna Seca Park and other Monterey Peninsula locations. The Initiative Measure Area is not within proximity to residential areas and will not pose a potential nuisance or hazard to such areas (Fort Ord Reuse Plan, Residential Land Use Policy B-1, 1997).
- D. The Initiative Measure Area is not located within the Army urbanized footprint and does not contain any known historic resources (Fort Ord Reuse Plan, Cultural Resources Policy B-1, 1997).
- E. The Initiative Measure Area does not contain any known valuable mineral resources.
- F. The Initiative Measure Area is not located within or adjacent to the Coastal Zone.
- G. The Initiative Measure Area is not located within or adjacent to the East Garrison area of Monterey County.
- H. The Monterey Peninsula Unified School District serves the former Fort Ord territories. Development of the Monument RV Resort is not anticipated to generate any new school age children and would not result in an increase in the population such that it would exceed the existing capacity of the school district.

- I. The Initiative Measure Area is in the vicinity of the National Monument and would increase the amount of visitors to the area. The increase in visitors would not be such that substantial physical deterioration to the facility would occur. The Initiative Measure would not require the construction or expansion of recreational facilities, beyond those contained within the Initiative Measure Area boundaries.
- J. The City supports actions necessary to ensure sewage treatment facilities operate in compliance with California Regional Water Quality Control Board waste discharge requirements (Fort Ord Reuse Plan, Hydrology and Water Quality Policy C-5, 1997). The Monument RV Resort will operate in accordance with Del Rey Oaks Ordinance 263 and will connect to the existing Seaside County Sanitation District municipal wastewater collection system within Del Rey Oaks. FORA will extend the wastewater collection system to serve the Initiative Measure Area.
- K. The City of Del Rey Oaks is a member jurisdiction within the Monterey Regional Waste Management District and supports development of a solid waste reduction and recycling program serving former Fort Ord territories. The Monterey Regional Waste Management District landfill has sufficient capacity to serve the operation of the Monument RV Resort through complete buildout at 100% capacity. Consistent with the provisions of the California Integrated Waste Management Act of 1989 and Public Resources Code 40000 et seq., Monument RV Resort will participate in recycling programs in accordance with local, regional, and state waste reduction requirements.
- L. Water supply wells will not be installed within the Initiative Measure Area (Fort Ord Reuse Plan, Hydrology and Water Quality Program C-1.6, 1997). Water for the Initiative Measure Area is supplied by the Marina Coast Water District (MCWD) through a contract with FORA. The MCWD complies with the State Health Department Standards and Regulations. FORA shall be responsible for extending existing MCWD water lines in the area to the Initiative Measure Area.
- M. Storm drainage from development within the Initiative Measure Area will be retained and percolated within the Initiative Measure Area boundaries.
- N. The City shall work with FORA and other appropriate agencies in assisting with the development of programs to identify additional water supply sources for former Fort Ord properties, such as water importation and desalination, and shall support FORA in implementing the most viable options.
- O. The Monument RV Resort will observe water conservation practices identified by the City of Del Rey Oaks and the Monterey Peninsula Water Management District. Conservation practices implemented within the Initiative Measure Area boundaries will be at least as stringent as Regulation 13 of the Monterey Peninsula Water Management District requirements.

- P. The City of Del Rey Oaks shall support the development of reclaimed or recycled water supply sources by the water purveyor and the Monterey Regional Water Pollution Control Agency to ensure adequate water supplies for former Fort Ord properties. Distribution and storage of potable and non-potable water within the Initiative Measure Area boundaries will comply with State Health Department Regulations.
- Q. Long-term water supply will be provided by MCWD, or some other water purveyor, via a contract with FORA and is currently sufficient to supply water to all phases of the construction and operation of the Monument RV Resort based on FORA's water allocation to the City of Del Rey Oaks and the City's contractual agreement to allocate a portion of that water to the Monument RV Resort.
- R. The City of Del Rey Oaks should collaborate with FORA, Monterey County Water Resources Agency, and Monterey Peninsula Water Management District to mitigate impacts related to seawater intrusion based on the Salinas Valley Basin Management Plan and to determine available water supplies and estimate a safe yield for those portions of former Fort Ord Lands overlying the Salinas Valley and Seaside groundwater basins.
- S. The City adopted Ordinance 263 to ensure the health, safety, and general welfare of the citizens of Del Rey Oaks and to protect water quality in conformance with the Federal Clean Water Act. Measures consistent with Ordinance 263 will be implemented during the construction and operation of the Monument RV Resort to protect water quality including the reduction of pollutants in stormwater discharges and prohibition of non-stormwater discharges into municipal storm drain systems.
- T. The Initiative Measure Area and subsequent development of the Monument RV Resort will be consistent with the hazardous and toxic materials clean-up levels in accordance with state and federal regulations. Del Rey Oaks shall make timely reviews of the Army's RA-ROD implementation progress and report to the public the Army's compliance with the United States Environmental Protection Agency's rules and regulations governing munitions and waste remediation, including treatment, storage, transportation, and disposal.
- U. The City of Del Rey Oaks adopted Ordinance 259, approved by the California Department of Toxic Substances Control, which prohibits development on Fort Ord Territory until ordinance or explosive remediation has been completed. In accordance with Ordinance 259, development will be prohibited within the Initiative Measure Area boundaries until ordinance or explosive remediation has been completed within the Initiative Measure Area.
- V. Del Rey Oaks should support and participate in regional and state planning efforts and funding programs to provide efficient regional transportation access to Fort Ord territories.

Del Rey Oaks should coordinate with FORA, the Transportation Agency of Monterey County, and Monterey Salinas Transit to address existing regional transportation needs and to implement the long-range circulation strategy for the former Fort Ord (Fort Ord Reuse Plan, Commercial Land Use Program E-1.1, 1997). Further, Del Rey Oaks should coordinate with FORA to design and provide an efficient system of arterials within former Fort Ord territories, consistent with the Fort Ord Reuse Plan (Fort Ord Reuse Plan, Streets and Roads Program. B-1.1, 1997), and to identify and designate local truck routes (Fort Ord Reuse Plan, Streets and Roads Program B-1.2, 1997). Del Rey Oaks should delineate adequate circulation rights-of-way to and within each commercial area by creating circulation right-of-way plan lines (Fort Ord Reuse Plan, Commercial Land Use Program E-2.1, 1997) and should work with the appropriate agency to develop a Bicycle System Plan. The Initiative Measure Area will connect to an existing transportation network. Alternative transportation, such as hiking, biking and regional bus service and facilities, to serve the Monument RV Resort will be explored, in accordance with Fort Ord Reuse Plan criteria and Del Rey Oaks Municipal Code Section 2.4.070, to identify and encourage trip reduction.

- W. The Monument RV Resort development will be consistent with the Transportation Agency for Monterey County regional plan (TAMC.org). The development of the Monument RV Resort within the Initiative Measure Area may reduce and redistribute traffic on the Monterey Peninsula. An RV Resort in this location will allow visitors to park their RVs on the Monterey Peninsula, close to events and activities, providing an opportunity for visitors to use available alternative transportation (e.g., bus, bikes, etc.). FORA will assess traffic Impact Fees on development within the Initiative Measure Area boundaries to help fund transportation improvements serving the former Fort Ord territories.
- X. The Del Rey Oaks Police Department serves the City of Del Rey Oaks. The City police station is approximately one mile from the Initiative Measure Area, with an estimated response time of three minutes. The City is working with appropriate agencies to maintain public protection service levels consistent with City standards.
- Y. The City of Seaside provides fire protection service to the City of Del Rey Oaks and the former Fort Ord territories within Del Rey Oaks, including the Initiative Measure Area. The nearest fire station, located at 1635 Obama Way, is approximately two miles from the Initiative Measure Area with an estimated response time of five minutes, and provides adequate first response. The Monument RV Resort does not necessitate new or physically altered law enforcement or fire protection facilities. The City relies upon inter-jurisdiction mutual aid agreements to support the current fire protection service. The City is working with appropriate agencies to maintain public protection services levels consistent with City standards.

- Z. Although the City of Del Rey Oaks has policies and programs that will ensure compliance with the 1997 adopted Fort Ord Reuse Plan jobs/housing balance provisions, the Initiative Measure uses do not provide for permanent housing within the boundaries. The Initiative Measure uses will provide for additional jobs within the City and former Fort Ord territory.

Section 7 – Additional FORA Consistency Topics

The Initiative Measure includes substantial evidence of meeting consistency with FORA Reuse Plan policies. The evidence of consistency with these policies is as follows:

- A. Del Rey Oaks shall continue to provide annual development forecasts to FORA to facilitate FORA’s Capital Improvement Plan preparation process (Fort Ord Reuse Plan, Streets and Roads program A-1.4, 1997). The Initiative Measure developer will pay FORA Development Impact Fees to accommodate Capital Improvement Plan costs for “transportation/transit projects, Habitat Management obligations, Water Augmentation, Storm Drainage System improvements, and Fire Fighting Enhancement improvements.”

Per FORA requirements (Community Facility District Special Tax Rates & Basewide Development Fee Schedule), the Monument RV Resort will pay Development Impact Fees at commercial development rates (office/industrial) in effect at the time of building permit issuance.

- B. Del Rey Oaks shall support FORA in development of regional urban design guidelines and review the development plans for consistency with FORA guidelines (Fort Ord Reuse Plan, Commercial Lands Use Program F-1.1, 1997). The Monument RV Resort is a commercial land use that will provide a robust source of revenue for the City of Del Rey Oaks while preserving the character of the community. The Monument RV Resort’s design shall be consistent with the General Development Character and Design Objectives of the Fort Ord Reuse Plan and will be subject to the City design review process to ensure preservation of community character (Fort Ord Reuse Plan, Commercial Land Use Policy C-1; F-2; Program F-1.2, 1997).
- C. Open space areas are designated, where appropriate, on the perimeter of the Initiative Measure Area (Recreation/Open Space Program B-2.3).
- D. Del Rey Oaks has preserved sufficient rights-of-way for anticipated future travel demands based on projected buildout in the Fort Ord Reuse Plan. The Monument RV Resort will not exceed level of service standards set by the City (Fort Ord Reuse Plan, Streets and Roads Program C-1.2; C-1.3, 1997).

- E. The Monument RV Resort provides street linkages to existing street networks in accordance with Fort Ord Reuse Plan design standards (Fort Ord Reuse Plan, Streets and Roads Program C-1.1, 1997).
- F. The Monument RV Resort provides on-street parking sufficient to serve the Resort at full capacity during each phase of development, including adequate parking for persons with disabilities in accordance with the Americans with Disabilities Act (Fort Ord Reuse Plan, Streets and Roads Program D-1.2, 1997).
- G. The Monument RV Resort includes sidewalks, pedestrian walkways, and bikeways designed in conformance with the Fort Ord Reuse Plan (Fort Ord Reuse Plan, Pedestrian and Bicycles Program A-1.1; B-1.1, 1997).
- H. The Monument RV Resort intends to participate with the City in coordinating with other jurisdictions to provide a future link to Comprehensive Trails Plans on the Former Fort Ord (Fort Ord Reuse Plan, Recreation Policy A-1; Recreation Program F-2.1. 1997).
- I. An Erosion Control Plan certified by a registered civil engineer or certified professional in the field of erosion and sediment control shall be implemented within the Initiative Measure Area. The Erosion Control Plan shall be subject to ministerial approval of the City of Del Rey Oaks and subsequent site monitoring to ensure its proper implementation. Erosion control measures will be required in areas with greater than 30% slopes within the Initiative Measure Area boundaries. Areas of extreme slope limitations within the Initiative Measure Area shall be designated for open space or other similar use where erosion control measures cannot ensure adequate soil stability (Fort Ord Reuse Plan, Soils and Geology Policy A-2; A-3; Program A-6.1; A-6.2, 1997).
- J. Prior to development within the Initiative Measure Area, the Monument RV Resort developer will develop and make available a description of feasible and effective BMPs and site drainage designs that shall be implemented in the development to ensure adequate stormwater infiltration. (Fort Ord Reuse Plan, Hydrology and Water Quality Program A-1.1, 1997). The development of the Monument RV Resort will result in the construction of impervious surfaces within the Initiative Measure Area. A stormwater drainage plan shall be prepared and implemented that ensures development will comply with Regional Water Quality Control Board standards for site drainage designs to filter out urban pollution and ensure adequate stormwater infiltration (Fort Ord Reuse Plan, Biological Resources Program A-1.3, 1997). The Monument RV Resort stormwater drainage plan shall provide measures capable of maintaining predevelopment stormwater runoff rates, prevent any discharge of stormwater or other drainage from new impervious surfaces into an ephemeral drainage, and minimize the potential for stormwater runoff related erosion within HMP areas (Fort Ord Reuse Plan, Hydrology Program A-1.1; Policy C-2; Biological Resources Program A-8.1, 1997).

- K. Prior to development within the Initiative Measure Area, a reconnaissance level biological survey shall be completed within the Initiative Measure Area boundaries to verify the general description of resources in the area described by the biological resource documents prepared for the U.S. Army Corps of Engineers (Fort Ord Reuse Plan, Biological Resources Program A-7.1, 1997). The biological report shall identify feasible measures to avoid or mitigate significant impacts of the development on special status species, if any, located within the Initiative Measure Area, which measures shall be implemented in connection with development of the Monument RV Resort.
- L. The City of Del Rey Oaks has worked with the appropriate agencies to establish an oak tree protection program to ensure conservation of existing coastal live oak woodlands in large corridors through use of their City Tree Protection Code (k) (Fort Ord Reuse Plan, Recreation Policy C-1, 1997). The Monument RV Resort will implement feasible oak tree protection measures identified in the City Tree Protection Code to protect oak and other protected trees, should any exist within the Initiative Measure Area boundaries. Removal of protected trees shall require a ministerial permit from the City. If development within the Initiative Measure Area removes existing protected species or habitat, the developer shall be permitted to attempt salvage of removed resources through transplanting vegetation, collecting seeds or cuttings of plants, or capturing and relocating sensitive wildlife species (Fort Ord Reuse Plan, Biological Resources Program A-7.3, 1997).
- M. Seasonal surveys for sensitive species will be required as an early component of development planning within the Initiative Measure Area. Where sensitive species identified in the Fort Ord Reuse Plan are known or expected to occur within the Initiative Measure Area, the developer shall make reasonable efforts to avoid or minimize loss of habitat occupied by these species. If permanent avoidance is infeasible a seasonal avoidance, salvage, or relocation program shall be prepared by the developer in coordination with the Coordinated Resource Management Planning program (Fort Ord Reuse Plan, Biological Resources Program B-1.1; B-1.2, 1997).
- N. Contractors for the Monument RV Resort shall be provided with guidelines for protection of special status biological resources during ground disturbing activities within the Initiative Measure Area boundaries. Such guidelines shall outline the requirements of the Endangered Species Act and Section 20180 of the California Fish and Game Code. Protocol shall be followed for relocation of species that may be encountered during construction activities (Fort Ord Reuse Plan, Biological Resources Program D-1.1; D-1.2, 1997).
- O. Development and operation of the Monument RV Resort will comply with Monterey Bay Unified Air Pollution Control District standards and regulations to carry out the Regional

Air Quality Management Plan (Fort Ord Reuse Plan, Air Quality Program A-1.1, 1997), and will be compatible with the Transportation Agency of Monterey County Congestion Management Plan (Fort Ord Reuse Plan, Air Quality Program A-1.2, 1997).

- P. Design and development within the Initiative Measure Area shall comply with the California Building Code minimum seismic design and construction requirements and the California Fire Code (Fort Ord Reuse Plan, Fire, Flood, and Emergency Management Program A-2.1, 1997). The development shall adhere to water suppression guidelines recommended in the Fort Ord Infrastructure Study for fire protection, water volumes, system distribution upgrades, and emergency water storage (Fort Ord Reuse Plan, Fire, Flood, and Emergency Management Program Policy A-3, 1997). The Monument RV Resort will utilize appropriate fire breaks within areas bordering the HMP boundaries and the neighboring National Monument (Fort Ord Reuse Plan, Biological Resources Program A-1.1, 1997). Development within the Initiative Measure Area shall be subject to a plan check and building inspection to ensure compliance.
- Q. No portions of the Initiative Measure Area are designated as a 100 year flood zone (Fort Ord Reuse Plan, Fire, Flood, and Emergency Management Policy B-1, 1997).
- R. No agricultural or forestry resources exist within the Initiative Measure Area.
- S. The Monument RV Resort development is compatible with and adheres to the Fort Ord Evacuation Routes (Fort Ord Reuse Plan, Fire, Flood, and Emergency Management Program C-1.1, 1997).
- T. The Monument RV Resort development plans will be reviewed by the Presidio of Monterey, Directorate of Environmental and Natural Resources Management (DENR), to ensure construction is not planned within known ordnance or explosive areas “unless an alternative mechanism is approved by the City and DENR” (Fort Ord Reuse Plan, Hazardous and Toxic Materials Program A-1.3, 1997).
- U. Prior to commencement of construction within the Initiative Measure Area, all construction crew members and supervisors shall attend a U.S. Army sponsored ordnance and explosive safety briefing (Fort Ord Reuse Plan, Hazardous and Toxic Materials Program A-1.4, 1997). In coordination with the U.S. Army and contractors, the City shall monitor the implementation procedures of the Remedial Action Record of Decision (RA-ROD) to ensure hazardous materials are removed and disposed of safely and effectively (Fort Ord Reuse Plan, Hazardous and Toxic Materials Policy B.1, 1997).
- V. The developer shall acquire permits in accordance with Del Rey Oaks Municipal Code section 8.12.070 for the transport of any hazardous materials associated with the development or operation of the Monument RV Resort (Fort Ord Reuse Plan, Hazardous and Toxic Materials Program B-1.4, 1997).

Section 8 – Environmental Standards

Before the former Fort Ord could be transferred from military to civilian use following the base closure, an Environmental Impact Statement (EIS) per the National Environmental Policy Act (NEPA) was prepared by the Army and the Fort Ord Reuse Plan and Environmental Impact Report (EIR) required by the California Environmental Quality Act (CEQA) were prepared by FORA. The Army prepared the Fort Ord Disposal and Reuse Final EIS (June, 1993) as well as the Fort Ord Disposal and Reuse Draft Supplemental EIS (December, 1995). Reliant on these documents, FORA prepared an EIR for the Fort Ord Reuse Plan (1997). Environmental mitigation from these documents was, for the most part, incorporated into policy within the Fort Ord Reuse Plan. The Initiative Measure is consistent with the policy direction of the Fort Ord Reuse Plan, as is evidenced in Sections 5, 6, and 7 of this Initiative Measure. Therefore, the environmental impacts resulting from the development within the Initiative Measure Area have been evaluated, and mitigation and policy direction provided for future development as evidenced herein. Though specifically exempt from the provisions of CEQA, the Initiative Measure includes Environmental Standards, in addition to consistency with FORA policy, to ensure that development within the Initiative Measure Area follows appropriate environmental considerations as guided by the CEQA. The developer of the Initiative Measure Area shall bear all costs of implementing the Environmental Standards contained herein.

The City Manager of Del Rey Oaks or designee may approve minor variations from the Environmental Standards set forth herein, subject to a substantial conformance determination. In making such a determination, the City Manager or designee shall make the finding that the proposed variation provides substantially equivalent environmental protection as the originally approved standard.

Though specifically exempt from the provisions of CEQA, this Initiative Measure includes Environmental Standards to both supplement Fort Ord Reuse Plan policy and implement the recommendations of environmental documentation prepared for the Fort Ord closure (CEQA/NEPA) and Fort Ord Reuse Plan (CEQA). The environmental standards are as follows:

- A. Development within the Initiative Measure Area boundaries shall comply with Del Rey Oaks design review standards and procedures to ensure protection of the natural beauty and visual character of the City in accordance with Municipal Code 17.56.
- B. The Monument RV Resort will be subject to acoustical architectural design review by the City Planning Commission to ensure compliance the municipal Building Code Regulations and Health Code Regulations. To support this review and prior to construction activities in the Initiative Measure Area, an acoustical study shall be prepared by a qualified acoustical engineer for the Monument RV Resort that will identify measures

required to ensure compliance with the FORA and City noise guidelines (Fort Ord Reuse Plan, Noise Policy B-7, 1997). The acoustical report shall also identify noise-reducing construction practices to be employed by contractors (Fort Ord Reuse Plan, Noise Policy B-8; B-9, 1997). The Monument RV Resort shall be compatible with exterior noise and construction noise performance criteria (Fort Ord Reuse Plan, Table 4.5-3 and 4.5-4, 1997; Fort Ord Reuse Plan, Noise Policy A-1, 1997).

- C. Construction and operation of the Monument RV Resort within the Initiative Measure Area shall comply with Monterey Bay Unified Air Pollution Control District standards, rules, and regulations.
- D. Prior to development within the Initiative Measure Area, preparation of a biological study shall be required. Prior to the issuance of construction permits and to the satisfaction of the City, all recommendations contained within the biological study shall be implemented to ensure adequate protection of biological resources. Development within the Initiative Measure Area boundaries will be consistent with Federal, State, and Local plans and regulations including the Endangered Species Act, Migratory Bird Treaty Act, Clean Water Act, California Endangered Species Act, California Fish and Wildlife Code, California Porter-Cologne Water Quality Control Act, Division 6 of the California Public Resources Code regulated by the California Code of Regulations, Title 2, sections 1900–2970, Installation-Wide Fort Ord Multi Species Habitat Management Plan (HMP), and the Draft Installation-Wide Multi Species Habitat Conservation Plan (HCP).
- E. The Initiative Measure Area developer shall prepare a landscape and lighting plan to be reviewed by the City of Del Rey Oaks to ensure the use of native drought tolerant species from on-site stock whenever appropriate and feasible, and that outdoor lighting complies with California Green Building Standards Code Section 5.106.8 for light pollution. This ensures maintenance of habitat quality for wildlife and that street lighting is as unobtrusive as practicable throughout development areas adjacent to the HMP area and in the vicinity of the National Monument (Fort Ord Reuse Plan, Biological Resources Policy C-3, 1997).
- F. Prior to development within the Initiative Measure Area, preparation of an archeological report that assesses the potential for cultural resources within the Initiative Measure Area shall be required. No known historic resources exist within the Initiative Measure Area boundaries. Prior to the issuance of construction permits and to the satisfaction of the City, all recommendations contained within the archaeological report shall be implemented to ensure adequate protection of archeological resources, including City consultation with the local Native American tribes. Standard recommendations are typically as follows:
- If cultural resources (i.e., prehistoric sites, historic sites, or isolated artifacts and features) are discovered during the construction process, work shall be halted

immediately within 50 feet of the discovery. The City shall be notified, and a professional archaeologist shall be retained to determine the significance of the discovery. The City shall consider mitigation recommendations presented by a professional archaeologist. The City will consult and agree upon implementation of a measure or measures deemed feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The City will be required to implement any mitigation necessary for the protection of cultural resources.

- If human remains are found during construction, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until a qualified archaeologist and the coroner of Monterey County are contacted. If it is determined that the remains are Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent from the deceased Native American. The most likely descendent may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code section 5097.98. The landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

- G. There are no known faults within the Initiative Measure Area boundaries; however, strong seismic shaking is characteristic of California. Prior to development within the Initiative Measure Area, a geotechnical report shall be prepared that identifies seismic and geologic hazard zones and associated risk factors for each including feasible engineering and design techniques that address characteristics of the former Fort Ord, areas and risk factors associated with ground-shaking, ground rupture, ground failure, and landslides susceptibility, liquefaction, and tsunamis, subject to review and approval of the City of Del Rey Oaks. The Monument RV Resort shall be monitored during construction to ensure compliance within the measures included in the project's geotechnical report and a report shall be prepared and filed on public record by the City confirming such (Fort Ord Reuse Plan, Seismic and Geologic Hazards Program A-2.2, 1997). Further, the geotechnical

report shall also identify soil limitations within the Initiative Measure Area including slopes and soils that have piping, low-strength, and shrink-swell potential. The geotechnical report shall require designation of areas within the Initiative Measure Area boundaries with severe soil limitations as open space or a similar use where adequate measures cannot be taken to ensure structural stability of these soils. All recommendations contained within the geotechnical report shall be implemented within the Initiative Measure Area (Fort Ord Reuse Plan, Soils and Geology Policy A-5; Programs A-5.2; A-6.2, 1997).

- H. The City of Del Rey Oaks will ensure that any development within the Initiative Measure Area on the former Fort Ord Territory is consistent with the hazardous and toxic materials clean-up levels as specified by state and federal regulation (Del Rey Oaks General Plan Chapter 15.48, 1997). The Monument RV Resort must comply with the aforementioned chapter in the General Plan, which requires special standards and procedures in regard to excavation and digging in the former Fort Ord, and City of Del Rey Oaks Ordinance 259, which prohibits development on Fort Ord territory until ordinance or explosive remediation has been completed. A grading permit shall be secured from the City of Del Rey Oaks that assures compliance before any excavation or grading occurs within Initiative Measure Area boundaries. Upon issuance of the permit, all excavation and grading will be performed solely in accordance with the permit.
- I. The Initiative Measure Area developer, upon construction of the Monument RV Resort, shall pay a FORA Development Impact Fee to fund Fire Fighting Enhancement improvements and incorporate recommendations from the Seaside Fire Department, including road width, road access, building materials, distances around structures, and other standards for compliance with the Uniform Building Code Fire Hazards Policy (Fort Ord Reuse Plan, Fire, Flood, Emergency Management Programs A-2.1; A-4.1-2, 1997). Additionally, the Monument RV Resort shall be consistent with fire management practices for high fire danger areas (Fort Ord Reuse Plan, Fire, Flood, and Emergency Policy A-1, 1997).
- J. A stormwater drainage, detention, and erosion control plan will be prepared by the developer of the Initiative Measure Area, which retains post-development stormwater within the Initiative Measure Area boundaries and identifies potential stormwater detention design and implementation measures according to the State Water Resource Control Board standards. Measures will be incorporated in the stormwater drainage and detention plan related to stormwater runoff that minimize the potential for erosion in contiguous HMP areas and prevent siltation of waterways in the former Fort Ord (Fort Ord Reuse Plan, Biological Resources Policy A-5; Hydrology and Water Quality Program C-4.1, 1997). This plan shall be reviewed and approved by the City of Del Rey Oaks.

- K. Municipal water infrastructure will be expanded to the Initiative Measure Area by FORA and the Monument RV Resort will connect to the Del Rey Oaks municipal water supply provided by the Marina Coast Water District. Water use for each potential phase of the Monument RV Resort will be assessed by the City prior to subsequent phases being built to assure that development will remain within the 50AF/yr allotment provided by the City.
- L. The Monument RV Resort will implement water conservation and reuse practices based on environmentally sustainable and sound practices, including the implementation of a rainwater collection system and installation of dual plumbing for use of non-potable water for appropriate functions. The Monument RV Resort will connect, if feasible, to recycled/reclaimed water for irrigation purposes when this water becomes available.
- M. The Development Impact Fees are used, in part, by FORA to fund construction of transportation improvements within and outside of former Fort Ord territories. Prior to construction activities within the Initiative Measure Area, the developer of the Monument RV Resort shall pay FORA Development Impact Fees. These funds will, in part, be utilized to pay for infrastructure improvements on and serving former Fort Ord lands.
- N. In accordance with Del Rey Oaks Municipal Code Section 2.24.070, prior to construction within the Initiative Measure Area the developer will submit a trip reduction checklist identifying design elements and facilities that encourage alternative transportation usage by visitors to the development. The developer shall coordinate with the Monterey Salinas Transit on whether it is feasible to implement bus service and facilities to serve the development.
- O. State legislation and regulations that have been and continue to be implemented to meet greenhouse gas (GHG) reduction goals of Assembly Bill 32, the Global Warming Solutions Act, and key state Executive Orders have and will continue to result in substantial reductions in GHG emissions over time. The Monument RV Resort provides a new alternative, self-sufficient accommodation option for existing visitors to the Monterey Peninsula, Laguna Seca, and the National Monument, that has the potential to reduce daily trips on the Monterey Peninsula in comparison to the existing condition. In an effort to further reduce climate change (GHG emissions) impacts, the Monument RV Resort developer shall adhere to Environmental Standard N (above) regarding preparation of a trip reduction checklist and either provide an alternative energy source or an energy reduction plan for the Monument RV Resort. The energy reduction plan could include installation of an alternative energy source (e.g., solar, wind, etc.) and/or the creation of an energy reduction plan, including construction of buildings to exceed Title 24 building energy efficiency standards, paving materials that reduce heat absorption and the need for air conditioning, energy efficient lighting, and use of drought tolerant landscaping and low-flow water fixtures and irrigation systems to reduce energy demand from water pumping.

- P. The City of Del Rey Oaks has a contract with Greenwaste Recovery for weekly solid waste collection and disposal for Del Rey Oaks residents and for curbside pickup of recyclable materials. The Monument RV Resort will work with the City to extend service to the Initiative Measure Area.
- Q. FORA shall be responsible for extending sewer and water lines to the Initiative Measure Area boundaries.
- R. The Monument RV Resort developer shall pay the FORA Development Impact Fees, as described herein, to fund pro-rate share mitigation payment toward transportation improvements, habitat preservation, water augmentation, storm drainage system improvements, and firefighting enhancement improvements.

Section 9 –Implementation

- A. Upon the effective date of this Initiative Measure, the statutory additions and amendments contemplated herein shall be deemed inserted in the City of Del Rey Oaks governing rules, regulations, policies, and ordinances.
- B. The provisions of this Initiative Measure shall prevail over any revisions to the City of Del Rey Oaks General and Specific Plans as amended through the adoption date of this Initiative Measure, which conflict with the Initiative Measure. Upon the adoption date, all General and Specific Plan amendments, rezonings, specific plans, tentative or final subdivision maps, parcel maps, conditional use permits, building permits or other ministerial or discretionary entitlements for use not yet approved or issued shall not be approved or issued unless consistent with the policies and provisions of this Initiative Measure. Other than for the exceptions provided herein, upon the effective date of this Initiative Measure, the City and its departments, boards, commissions, officers and employees shall not grant, or by inaction allow to be approved by operation of law, any general plan amendment, rezoning, specific plan, subdivision map, conditional use permit, building permit or any other ministerial or discretionary entitlement, which is inconsistent with the purposes of this Initiative Measure unless in accordance with the provisions of this Initiative Measure.

Section 10 –Conflicting Measures.

In the event that this Initiative Measure and any other measure addressing in whole or in part the same subject matter as this Initiative Measure are both approved by the voters at the same election, and this Initiative Measure receives a greater number of affirmative votes than any other such measure or measures, this Initiative Measure shall control in its entirety and the other measure or measures shall be rendered void and without any legal

effect. If this Initiative Measure is approved by a majority of the voters but does not receive a greater number of affirmative votes than any other measure addressing in whole or in part the same subject matter as this Initiative Measure at the same election, this Initiative Measure shall take effect to the extent permitted by law.

Section 11 – Severability.

This Initiative Measure shall be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Initiative Measure 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 this Initiative Measure. The voters hereby declare that this Initiative Measure, 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 Measure is declared invalid as applied to any person or circumstance, such invalidity shall not affect any application of this Initiative Measure that can be given effect without the invalid application. This Initiative Measure shall be broadly construed in order to achieve the purposes stated in this Initiative Measure.

Section 12 – Amendment or Repeal.

The provisions enacted through this Initiative Measure may be amended or repealed only by the voters at a general election.