

WHEREAS, a citizen-initiated ballot initiative (“ballot initiative”) related to the future of the former Hughes Stadium property appeared on the April 6, 2021 City of Fort Collins municipal election ballot; and

WHEREAS, the ballot initiative required the City of Fort Collins (“the City”) to rezone the former Hughes Stadium property as a Public Open Land, acquire the property, and use it for “parks, recreation and open lands, natural areas, and wildlife rescue and education”; and

WHEREAS, the ballot initiative was approved by 68.61% of the Fort Collins citizens who voted in the April 6, 2021 election; and

WHEREAS, Article X, Section 1 of the Fort Collins charter reserves the right of registered electors of the City “to propose ordinances or resolutions to the Council, and if the Council fails to adopt a measure so proposed, to adopt or reject such ordinance or resolution at the polls,” with any voter-approved initiative having the same legal effect as an ordinance or resolution adopted by the City Council; and

WHEREAS, following the passage of the ballot initiative, the City rezoned the former Hughes Stadium property as a Public Open Land and acquired the former Hughes Stadium property, as directed by the voters; and

WHEREAS, since the passage of the ballot initiative and subsequent purchase of the former Hughes Stadium property, public discussions and stakeholder processes have occurred regarding the specific allowable future uses of the former Hughes Stadium property; and

WHEREAS, some residents and elected officials have expressed confusion about the ballot initiative’s intent related to the future uses of the former Hughes Stadium property during those discussions and stakeholder processes; and

WHEREAS, the City has not yet decided what future uses to allow on the former Hughes Stadium property; and

WHEREAS, the intent of the 2021 ballot initiative was to conserve the former Hughes Stadium property in public trust; and that the entire Hughes property would be and remain in perpetuity a publicly-owned, operated and maintained protected open space used for low-impact recreational activities consistent with the uses allowed in a Natural Area; and

WHEREAS, the 2021 ballot initiative further intended that the former Hughes Stadium property be conserved for ecological restoration and the integrity of its wildlife habitat consistent with the rules of a Natural Area; and

WHEREAS, the most appropriate way to reflect the intent of the 2021 ballot initiative as codified in subsequent City ordinances and resolutions is to designate and use the entire former Hughes Stadium property as a Natural Area as defined and governed by Article IX, Chapter 23 of the Fort Collins municipal code; and

WHEREAS, Fort Collins has preserved over 40,000 acres of Natural Areas since 1973; and

WHEREAS, Natural Areas help make Fort Collins a highly desirable place to live, work, and visit; and

WHEREAS, the former Hughes Stadium property occupies land in between and in close proximity to the current Maxwell and Pineridge Natural Areas, creating a contiguous area of unique ecological value; and

WHEREAS, Fort Collins residents have repeatedly affirmed the importance of preserving ecological integrity, connecting people to nature, and conserving Natural Areas by the City, including but not limited to a 2020 City survey of its residents that indicated Natural Areas, wildlife habitat, and hiking trails were their most important outdoor priorities; and

WHEREAS, Fort Collins residents currently use existing Natural Areas to enjoy the low-impact recreation opportunities Natural Areas provide, such as walking, hiking, biking, wildlife viewing, bird watching, and fishing; the educational opportunities and programs provided to people of all ages, abilities, and backgrounds; the beautiful landscapes and views they provide; and the importance of Natural Areas to North American indigenous peoples' ceremonies and cultural heritage; and

WHEREAS, the City values sustainability in policies, plans, strategies and projects that align with its Triple Bottom Line decision-making philosophy of social, economic and environmental well-being to meet its residents' present needs and the needs of future generations without compromising the ecosystems upon which we all depend; and

WHEREAS, the preservation and use of the former Hughes Stadium property as a Natural Area would provide an invaluable social, economic, and environmental resource for current and future generations of Fort Collins residents.

NOW THEREFORE, BE IT ORDAINED AS FOLLOWS:

Section 1. That the City hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the voter-approved Hughes Stadium Property ballot initiative language, as reflected in the City of Fort Collins Resolution 2021-024 and the "Proposed Citizen Initiated Ordinance" on the April 6, 2021 regular municipal election ballot, shall be modified to clarify that the entire former Hughes Stadium property be used only as a Natural Area as defined by and subject to the rules of Chapter 23, Article IX of the Fort Collins municipal code.

Section 3. That the Hughes Stadium property ballot initiative language, as adopted by Fort Collins voters during the April 6, 2021 election, shall be amended as follows:

That the City shall acquire the Hughes Stadium property, a 164.56-acre parcel of land legally described in Section 3 of Fort Collins Ordinance No. 123 (2018) ("Annexing the Property Known as the Hughes Stadium Property Annexation to the City of Fort Collins, Colorado") at its fair market value for the purpose of using it for ~~parks, recreation and open lands, natural areas, and wildlife rescue and education.~~ A NATURAL AREA.

Section 4. That the Hughes Stadium property ballot initiative language, as adopted by Fort Collins voters during the April 6, 2021 election, shall be further amended as follows:

That the City shall not de-annex, cease acquisition efforts, SELL, LEASE, OR OTHERWISE CONVEY TO A THIRD PARTY, or subsequently rezone the Hughes Stadium property to any designation other than Public Open Lands without voter approval of a separate initiative referred to the voters by City Council.

Section 5. That the City of Fort Collins shall make necessary conforming amendments to its land use regulations, municipal code, previously enacted council resolutions and ordinances, and any other relevant documents to reflect the aforementioned clarifications.

Section 6. That this ballot initiative shall take effect immediately upon passage by the majority of the voters of Fort Collins during the first available election and apply to the Hughes Stadium property ballot initiative approved by voters on April 6, 2021.

Section 7. Any registered voter in Fort Collins has legal standing to petition for injunctive and/or declaratory relief related to City noncompliance with the provisions of this ballot initiative.