

AN INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

Pursuant to Elections Code § 9203, the city attorney prepared the following title and summary of the chief purpose and points of the proposed measure:

**AN INITIATIVE MEASURE AMENDING MOORPARK'S EXISTING GENERAL PLAN PROVISIONS
RESTRICTING GROWTH OUTSIDE MOORPARK'S CITY URBAN RESTRICTION BOUNDARY**

The initiative measure ("Measure") proposed by this petition is known as the "Moorpark Save Open-space and Agricultural Resources – 2050 initiative," or "Moorpark SOAR – 2050."

In 1999, Moorpark voters adopted Measure S, known as the "Moorpark Save Open-space and Agricultural Resources," or "Moorpark SOAR," initiative. The 1999 Moorpark SOAR amended the Moorpark General Plan to establish the "Moorpark City Urban Restriction Boundary," or "Moorpark CURB." With minor exceptions, the 1999 Moorpark SOAR prohibits the City from permitting "urban services" or "urbanized uses of land" outside the Moorpark CURB until December 31, 2020. The City Council may amend the Moorpark CURB under certain specified circumstances.

This new Measure would extend the Moorpark SOAR's provisions from December 31, 2020 to December 31, 2050 and make certain amendments to the General Plan provisions adopted by the 1999 Moorpark SOAR initiative.

The Measure would not change the location of the Moorpark CURB. The 1999 Moorpark SOAR established the Moorpark CURB as generally coterminous with the Moorpark Sphere of Influence line as it existed on January 1, 1998. The Moorpark CURB tracks the City limits, except a small portion of land located in the south eastern portion of the City that was annexed into the City in 1998 and would continue to fall outside the Moorpark CURB.

Currently, the City may permit certain public roads, potable water facilities, public schools, public parks or other government facilities to be constructed outside the Moorpark CURB. The Measure would remove the City's ability to permit public schools and other government facilities (except public parks) outside the Moorpark CURB.

Currently, the City Council is authorized to reduce the size of the existing Moorpark CURB. The Measure clarifies that once reduced by the City Council, the Moorpark CURB may only be enlarged under certain circumstances pursuant to specified amendment procedures.

Currently, the City Council may amend the Moorpark CURB if land outside the Moorpark CURB line has not been used for agricultural purposes in the immediately preceding two years and is unusable for agriculture. The Measure would increase this time period from two years to four years. To amend the Moorpark CURB on this basis, the Measure would require notice to neighboring properties, the Ventura County Local Area Formation Commission, and certain other persons.

The Measure provides that the proposed amendments to the Moorpark General Plan shall take effect on the Measure's effective date, unless the amendment would exceed the annual number of General Plan amendments permitted by State law. In that case, the General Plan amendments would take effect on January 1, 2017.

The Measure specifies rules if the General Plan is amended between the initiative submittal date and the Measure's effective date to ensure the General Plan's internal consistency.

The Measure may only be amended by a vote of the electorate and includes a severability clause so that if portions of the Measure are invalidated, the remaining portions would remain in effect.

Kevin G. Ennis, City Attorney, City of Moorpark

**SAVE OPEN-SPACE AND AGRICULTURAL RESOURCES 2050
MOORPARK CITY URBAN RESTRICTION BOUNDARY**

**Notice of Intention to Circulate Petition and
Request That A Ballot Title and Summary Be Prepared**

Notice is hereby given by the persons whose names appear hereon of their intention to circulate a petition within the City of Moorpark in the form accompanying this Notice, for the purpose of qualifying the measure for the November 8, 2016, ballot. A statement of the reasons of the proposed action as contemplated in the petition is as follows:

Prevention of urban sprawl, protection of open space and agricultural resources, and the maximization of infrastructure, are significant concerns of the citizens of Moorpark. This initiative advances those objectives by extending from 2020 to 2050 the sunset of the currently existing requirement of a vote of the citizens of the City for any expansion of urban land uses beyond the limits of the Moorpark City Urban Restriction Boundary (CURB) established in 1999 and re-established as set forth in this initiative.

Additionally, pursuant to Elections Code § 9203, request is hereby made that the text of the petition be transmitted immediately to the City Attorney for preparation of a ballot title and summary, not exceeding 500 words, accurately expressing the purpose of the proposed measure.

Respectfully Submitted. October 29, 2015

Roseann Mikos
14371 E. Cambridge St.
Moorpark, CA 93021

David Ross
15010 Reedley St., #E
Moorpark, CA 93021

Linda Shishino-Cruz
4214 Skybrook Ct.
Moorpark, CA 93021

CITY OF MOORPARK MEASURE
“Moorpark Save Open-space and Agricultural Resources – 2050 initiative,”
or “Moorpark SOAR – 2050.”
FULL TEXT OF ORDINANCE (page 1 of 3)

PREAMBLE

In 1999, the City of Moorpark, through the initiative process, approved an initiative measure establishing a City Urban Restriction Boundary (CURB), entitled the Save Open-Space and Agricultural Resources measure (SOAR) limiting development outside of the CURB. The measure sunsets – expires – in 2020. The effects of that measure have been very successful, accomplishing its purposes and objectives, while allowing for meeting the City’s growth goals and potentials. Accordingly, this initiative is intended to restate and re-adopt the 1999 SOAR measure, as currently found in the Moorpark City General Plan, and to restate, readopt and re-establish the CURB line, in order that the concepts embodied in the initiative are extended until December 31, 2050. Certain minor modifications borne of the experiences since the measure’s original adoption are set forth herein at Section 3.

The people of the City of Moorpark do hereby ordain as follows:

Section 1. Title

This initiative measure shall be known as the Moorpark Save Open-space and Agricultural Resources – 2050 initiative, or Moorpark SOAR – 2050.

Section 2. Purpose and Findings.

A. Purpose. The purpose of this initiative is to readopt for the City of Moorpark its existing Urban Restriction Boundary. The Moorpark City Urban Restriction Boundary (Moorpark CURB) line readoption and extension to the year 2050 has the following objectives:

1. To continue to successfully promote stability in long term planning for the City by establishing a cornerstone policy within the General Plan designating the geographic limits of long term urban development and allowing sufficient flexibility within those limits to respond to the City’s changing needs over time;
2. To continue to encourage efficient growth patterns and protect the City of Moorpark’s quality of life by concentrating future development largely within existing developed areas consistent with the availability of infrastructure and services;
3. To continue to promote on lands outside the Moorpark CURB line ongoing natural resource and open space uses as defined in Government Code section 65560(b), such as preservation of natural resources, public and private outdoor recreation, uses that foster public health and safety, and productive investment for farming enterprises;
4. To continue to manage the City’s growth in a manner that fosters and protects the small town and semi-rural character of Moorpark while encouraging appropriate economic development in accordance with the City’s unique local conditions;
5. To allow the City to continue to meet its reasonable housing needs for all economic segments of the population, especially low and moderate income households, by directing the development of housing into areas where services and infrastructure are more efficiently available; and
6. To continue to ensure that the preservation and protection of (1) open space, (2) environmentally sensitive habitat, and (3) agricultural production are inviolable against transitory short-term political decisions and that watershed, viewshed, open space, and agricultural lands are not prematurely or unnecessarily converted to other non-agricultural or non-open space uses without public debate and a vote of the people.

B. Findings.

1. Continued urban encroachment into open space, watershed, viewshed, or agricultural areas will threaten the public health, safety and welfare by causing increased traffic congestion, associated air pollution, and potentially serious water problems, such as pollution, depletion, and sedimentation of available water resources not only for the City but for its jurisdictional neighbors and severely impact the viability of adjacent agricultural lands. Such urban encroachment would eventually result in both the unnecessary, expensive extension of public services and facilities and inevitable conflicts between urban, agricultural and open space uses.
2. The unique character of the City of Moorpark and quality of life of City residents depend on the protection of a substantial amount of open space, rural and agricultural lands and their associated visual resources. The protection of such lands not only ensures the continued viability of agriculture, but also protects the available water supply and contributes to flood control and the protection of wildlife, environmentally sensitive areas, and irreplaceable natural and visual resources. As importantly, we have learned that adopting a geographic urban limit line around the City of Moorpark has promoted the formation and continuation of a cohesive community by defining the boundaries and by helping to prevent urban sprawl. Such a boundary has promoted efficient municipal services and facilities by confining urban development to defined development areas.
3. The protection of existing open-space, watershed, viewshed and agricultural lands, within and surrounding the City of Moorpark has been and is of critical importance to present and future residents of the City of Moorpark. Agriculture has been and remains a major contributor to the economy of the Moorpark area and County of Ventura, directly and indirectly creating employment for many people and generating substantial tax revenues for the City and its surrounding area.
4. In particular, the City of Moorpark is a component of Ventura County and a gate-keeper to the surrounding area, with its unique combination of soils, micro-climate and hydrology, which has become one of the finest growing regions in the world. Vegetable and fruit production from the County of Ventura and more particularly from the soils and silt from the Arroyo Simi, the entire Calleguas watershed area, the Tierra Rejada Valley and alluvial plains adjacent to the City have achieved international acclaim, enhancing the City’s economy and reputation.
5. This initiative ensures that the Goals and Policies relating to Agriculture (Goal 11 and Policies 11.1 through 11.3) and Preservation of Environmental Quality (Goal 14 and 15) and Policies 14.1 through 14.6 and Policies 15.1 through 15.3, 15.5, and 15.8 of the General Plan are inviolable against transitory short-term political decisions and that agricultural, watershed and open space lands are not prematurely or unnecessarily converted to other non-agricultural or non- open space uses without public debate and a vote of the people. Accordingly, the initiative requires that until December 31, 2050, the City of Moorpark shall, with minor exceptions, restrict the provision of urban services, and creation of urban uses, other than in certain circumstances and according to specific procedures set forth in the initiative, to within the City Urban Restriction Boundary restated and readopted by this initiative.
6. Although established generally in the same location as the Sphere of Influence line as it existed as of January 1, 1998, the CURB is not intended to and shall in no way inhibit the Local Agency Formation Commission from changing or altering the Sphere of Influence line in accordance with state law. The two lines, although generally coterminous as of one point in time are independent one from the other in legal significance and purpose. While the Sphere of Influence line may be altered by the Local Agency Formation Commission, and addresses the issue of annexation, the City Urban Restriction Boundary is a local planning policy addressing the issue of land uses and shall not be changed except as herein provided.

Section 3. General Plan Amendment.

The Moorpark General Plan currently reads as follows. It is hereby restated and readopted, not to sunset until December 31, 2050, subject to the minor modifications as noted. Deletions are indicated by ~~strike-outs~~ and additions being indicated by *italics*.

8.0 MOORPARK CITY URBAN RESTRICTION BOUNDARY

Introduction

The electorate of the City of Moorpark have, through the initiative process, adopted an urban growth boundary line denominated the Moorpark City Urban Restriction Boundary (Moorpark CURB). Its purpose, principals, implementation procedures, and methodologies for amendment are set forth in this Section.

8.1 PURPOSE The City of Moorpark and surrounding area, with its unique combination of soils, microclimate and hydrology, has become one of the finest growing regions in the world. Vegetable and fruit production from the County of Ventura and in particular production from the soils and silt from the Arroyo Simi, the entire Calleguas watershed, the Tierra Rejada Valley, and alluvial plains adjacent to the City have achieved international acclaim, enhancing the City’s economy and reputation.

The purpose of the Moorpark CURB is:

- A. To promote stability in long term planning for the City by establishing a cornerstone policy within the General Plan designating the geographic limits of long term urban development and allowing sufficient flexibility within those limits to respond to the City’s changing needs over time;
- B. To encourage efficient growth patterns and protect the City of Moorpark’s quality of life by concentrating future development largely within existing developed areas consistent with the availability of infrastructure and services;
- C. To promote on lands outside the Moorpark CURB line ongoing natural resource and open-space uses as defined in Government Code Section 65560(b), such as

CITY OF MOORPARK MEASURE
“Moorpark Save Open-space and Agricultural Resources – 2050 initiative,”
or “Moorpark SOAR – 2050.”
FULL TEXT OF ORDINANCE (page 2 of 3)

preservation of natural resources, public and private outdoor recreation, uses that foster public health and safety, and productive investment for farming enterprises;
D. To manage the City’s growth in a manner that fosters and protects the “small town” and semi-rural character of Moorpark while encouraging appropriate economic development in accordance with the City’s unique local conditions;
E. To allow the City to continue to meet its reasonable housing needs for all economic segments of the population, especially low and moderate income households, by directing the development of housing into areas where services and infrastructure are more efficiently available; and
F. To ensure that the preservation and protection of (1) open-space, (2) environmentally sensitive habitat, and (3) agricultural production are inviolable against transitory short-term political decisions and that watershed, viewshed, open-space, and agricultural lands are not prematurely or unnecessarily converted to other nonagricultural or non-open-space uses without public debate and a vote of the people.

8.2 PRINCIPLES

A. Continued urban encroachment into open-space, viewshed, watershed and agricultural areas will impair agriculture, negatively impact sensitive environmental areas, and intrude on open-space irrevocably changing its beneficial utility. By diminishing such beneficial uses, urban encroachment also diminishes the quality of life and threatens the public health, safety, and welfare by causing increased traffic congestion, associated air pollution, alteration of sensitive lands in flood plains and causing potentially serious water problems, such as pollution, depletion, and sedimentation of available water resources not only for the City of Moorpark but for its jurisdictional neighbors. Such urban sprawl would eventually result in both the unnecessary, expensive extension of public services and facilities and inevitable conflicts between urban and open-space/agricultural uses.

B. The unique character of the City of Moorpark and quality of life of City residents depend on the protection of a substantial amount of open-space, watershed and agricultural lands. The protection of such lands through the implementation of this General Plan Amendment by initiative not only ensures the continued viability of agriculture, but also protects the available water supply and contributes to flood control and the protection of wildlife, environmentally sensitive areas, and irreplaceable visual and natural resources. As importantly, adopting a City Urban Restriction Boundary around the City of Moorpark will promote the formation and continuation of a cohesive community by defining the boundaries and by helping to prevent urban sprawl. Such a City Urban Restriction Boundary will promote efficient municipal services and facilities by confining urban development to defined development areas.

8.3 IMPLEMENTATION OF CURB

A. The City of Moorpark hereby establishes established and adopts adopted a Moorpark City Urban Restriction Boundary (Moorpark CURB) line in 1999. The Moorpark CURB shall be was established coterminous with and in the same location as the Sphere of Influence line established by the Local Agency Formation Commission as it exists existed as of January 1, 1998, or as altered or modified pursuant to the Amendment Procedures set forth below. Graphic representation of that line is shown at Exhibit “A”. With one minor deviation in the south eastern portion of the City the CURB line tracks the City limits.

B. Until December 31, 2020 2050, the City of Moorpark shall restrict urban services (except temporary mutual assistance with other jurisdictions) and urbanized uses of land to within the Moorpark City Urban Restriction Boundary, except as provided herein, and except for the purpose of completing roadways designated in the circulation element of the Moorpark General Plan as of January 1, 1998 construction of public potable water facilities, public schools, or public parks or other government facilities. Other than for the exceptions provided herein, upon the effective date of this General Plan Amendment 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 Section, unless in accordance with the Amendment Procedures of Section 8.4.

C. “Urbanized uses of land” shall mean any development which would require the establishment of new community sewer systems or the significant expansion or extension of existing community sewer systems; or, would result in the creation of residential lots less than 20 acres in area; or would result in the establishment of commercial or industrial uses which are not exclusively agriculturally-related.

D. The Moorpark City Urban Restriction Boundary may not be amended, altered, revoked, or otherwise changed prior to December 31, 2020 2050, except by vote of the people or by the City Council pursuant to the procedures set forth in Section 8.4.

E. Implementation of this initiative will in no way preclude the Moorpark City Council from making land use decisions regarding lands inside the Moorpark City Urban Restriction Boundary.

8.4 AMENDMENT PROCEDURES

Until December 31, 2020 2050, the foregoing Purposes, Principles and Implementation provisions of this Section of the Land Use Element may be amended only by a vote of the people commenced pursuant to the initiative process by the public, or pursuant to the procedures set forth below:

A. The City Council may amend the City Urban Restriction Boundary if it deems it to be in the public interest, provided that the amended boundary is within or coextensive with the limits of said City Urban Restriction Boundary. A contracted CURB line as referenced herein may only be extended pursuant to the procedures set forth herein.

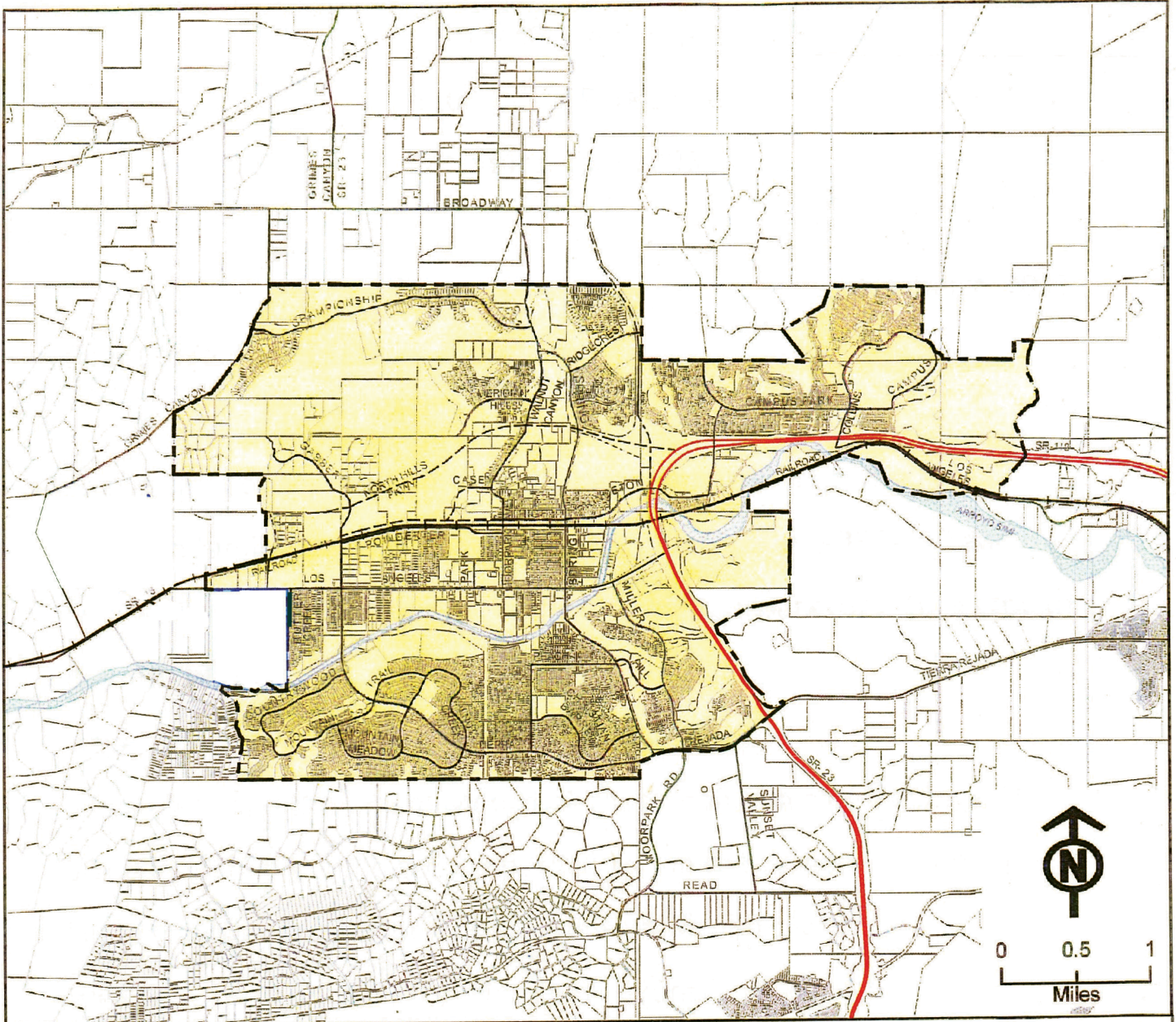
B. The City Council, following at least one public hearing for presentations by an applicant and by the public, and after compliance with the California Environmental Quality Act, may amend the City Urban Restriction Boundary in order to comply with State regulations regarding the provision of housing for all economic segments of the community, provided that no more than 10 acres of land may be brought with the CURB for this purpose in any calendar year. Such amendment may be adopted only if the City Council makes each of the following findings:

1. The City is in violation of State regulations regarding its fair share of housing stock.
2. The land is immediately adjacent to existing compatibly developed areas and the applicant for the inclusion of land within the Urban Restriction Boundary has provided to the City evidence that the Fire Department, Police Department, Department of Public Works, the Community Services Department, applicable water and sewer districts, and the School District with jurisdiction over such land have adequate capacity to accommodate the proposed development and provide it with adequate public services; and
3. That the proposed development will address the highest priority need identified in the analysis by which the City has determined it is not in compliance with State regulations, i.e., low and very low income housing; and
4. That there is no existing residentially designated land available within the Urban Restriction Boundary to accommodate the proposed development; and,
5. That it is not reasonably feasible to accommodate the proposed development by redesignating lands within the Urban Restriction Boundary.







C. The City Council following at least one public hearing for presentations by an applicant and by the public, and after compliance with the California Environmental Quality Act, may amend the Urban Restriction Boundary described herein, if the City Council makes each of the following findings:

1. The land proposed for receiving urban services, urbanized land uses, or inclusion within the Urban Restriction Boundary is immediately adjacent to areas developed in a manner comparable to the proposed use;
2. Adequate public services and facilities are available and have the capacity and capability to accommodate the proposed use;
3. The proposed use will not have direct, indirect, or cumulative adverse significant impacts to the area’s agricultural viability, habitat, scenic resources, or watershed value;

EXHIBIT A



Legend

-  CURB Boundary
-  Freeway
-  Major Streets
-  Proposed Streets
-  Parcels
-  Moorpark City Limits

Sources:
City of Moorpark, November 2008
County of Ventura GIS data, October 2008
Prepared: November 2008

Note: A copy of the City's CURB Figure is available for download at <http://www.ci.moorpark.ca.us> or for purchase at Moorpark City Hall, 799 Moorpark Avenue, Moorpark, CA 93021.

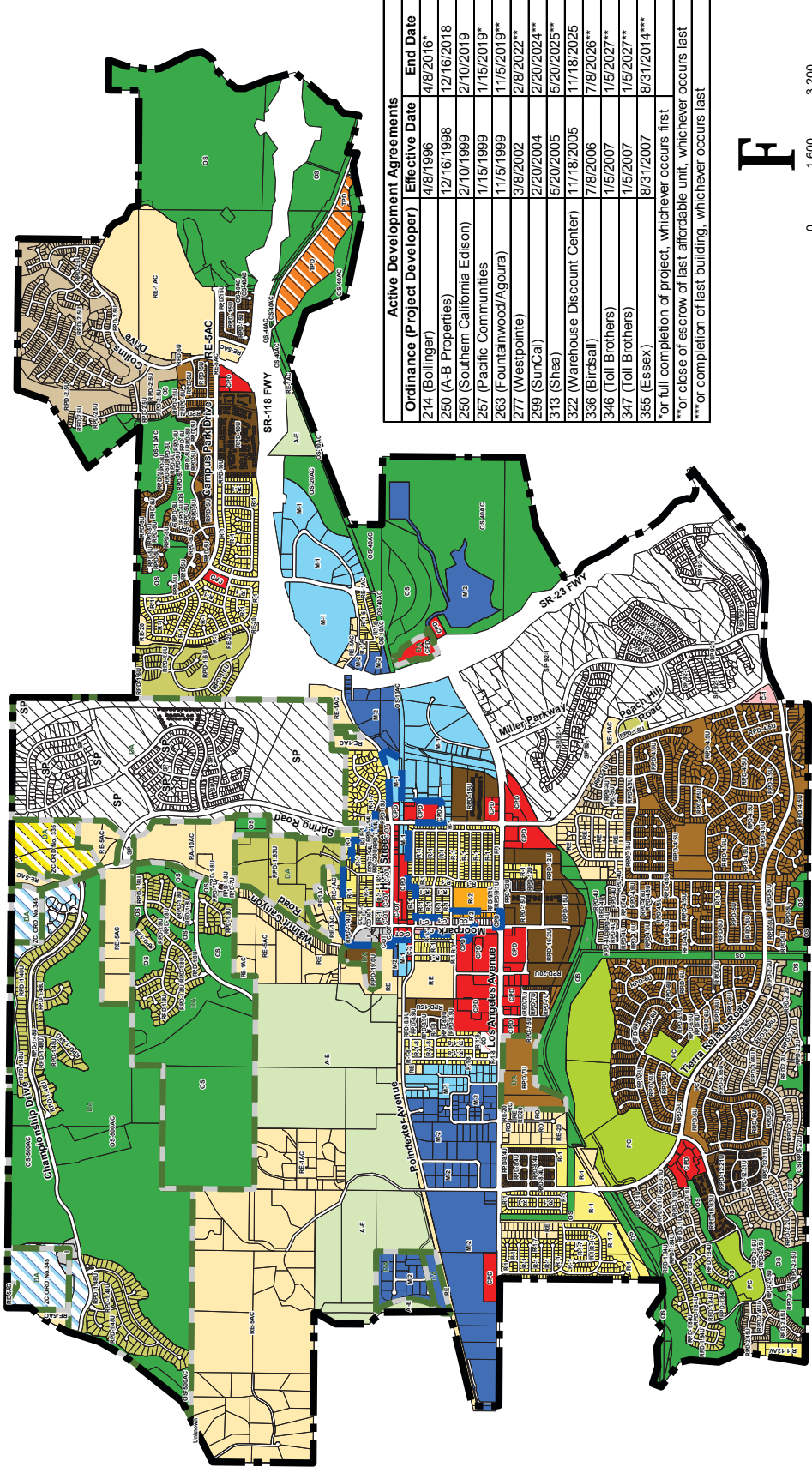


CC ATTACHMENT 3

City of Moorpark



City of Moorpark - Zoning Map Exhibit B



Ordinance (Project Developer)	Effective Date	End Date
214 (Bollinger)	4/8/1996	4/8/2016*
250 (A-B Properties)	12/16/1998	12/16/2018
250 (Southern California Edison)	2/10/1999	2/10/2019
257 (Pacific Communities)	1/15/1999	1/15/2019**
263 (Fountainwood/Agoura)	11/5/1999	11/5/2019**
277 (Westpointe)	3/8/2002	2/8/2022**
299 (SunCal)	2/20/2004	2/20/2024**
313 (Shea)	5/20/2005	5/20/2025**
322 (Warehouse Discount Center)	11/18/2005	11/18/2025
336 (Birdsall)	7/8/2006	7/8/2026**
346 (Toll Brothers)	1/5/2007	1/5/2027**
347 (Toll Brothers)	1/5/2007	1/5/2027**
355 (Essex)	8/31/2007	8/31/2014***

*or full completion of project, whichever occurs first
 **or close of escrow of last affordable unit, whichever occurs last
 ***or completion of last building, whichever occurs last



ZONING DESIGNATIONS

	A-E		R-1		RE		RPD-1.6U		RPD-3.1U		RPD-6.5U		RPD-10U		RPD-20U		M-2
	PC		R-1.6		RE-1AC		RPD-1.63U		RPD-3.66U		RPD-7U		RPD-12U		CO		I
	OS		R-1.7		RE-5AC		RPD-1.8U		RPD-4U		RPD-7.14U		C-1		SP		DA (Development Agreement Applicable)
	OS-10AC		R-1.8		RE-20		RPD-1.84U		RPD-4.5U		RPD-7.5U		C-2		SP 92-1		Parcel Boundary
	OS-20AC		R-1.9		RO		RPD-2.2U		RPD-4.6U		RPD-8.4U		C-PD		ZC ORD No. 335		City of Moorpark
	OS-40AC		R-1-13AV		R-2		RPD-2.45U		RPD-5U		RPD-8.9U		C-OT		ZC ORD No. 345		
	OS-500AC		RA-10AC		RPD-1.48U		RPD-2.5U		RPD-6U		RPD-9.1U		M-1		TPD		

Approved by / Date	Revision
City of Moorpark September 17, 2008	

A larger and/or more detailed version of the City's General Plan and Zoning Maps is available for download at <http://www.ci.moorpark.ca.us> or for purchase at Moorpark City Hall, 799 Moorpark Avenue, Moorpark, CA 93021
 Source: City of Moorpark, September 2008
 County of Ventura, GIS data, July 2008

CITY OF MOORPARK MEASURE
“Moorpark Save Open-space and Agricultural Resources – 2050 initiative,”
or “Moorpark SOAR – 2050.”
FULL TEXT OF ORDINANCE (page 3 of 3)

4. The proposed use will not adversely affect the stability of land use patterns in the area (i.e., the parcel affected will not introduce or facilitate a use that is incompatible with adjoining or nearby uses);

5. The land proposed for reception of public services, urbanization or inclusion within the Urban Restriction Boundary has not been used for agricultural purposes in the immediately preceding 24 years and is unusable for agriculture due to its topography, drainage, flooding, adverse soil conditions or other physical reasons; and

6. The land proposed for reception of public services, urbanization or inclusion within the Urban Restriction Boundary does not exceed 40 acres for any one landowner in any calendar year, and one landowner's property may not similarly be removed from the protections contemplated by this Initiative more often than every other year. Landowners with any unity of interest are considered one landowner for purposes of this limitation.

7. *Notice of such Proposed Modification is given according to the City's standard notice requirements to neighboring properties; and as well, not less than 30 days prior to the proposed modification appearing on the City Council agenda, to LAFCo, and to all individuals or organizations who or which have indicated a desire for such Notice by requesting the same by placing his/her/its name and contact information with the City Clerk.*

D. The City Council following at least one public hearing for presentation by an applicant and by the public, and after compliance with the California Environmental Quality Act, may amend the CURB if the City Council makes each of the following findings:

1. Failure to amend the CURB would constitute an unconstitutional taking of a landowner's property for which compensation would be required or would deprive the landowner of a vested right; and

2. The amendment and associated land use designations will allow additional land uses only to the minimum extent necessary to avoid said unconstitutional taking of the landowner's property or to give effect to the vested right.

E. The City Council following at least one public hearing for presentations by an applicant and by the public, and after compliance with the California Environmental Quality Act, may place any amendment to the Urban Restriction Boundary or the provisions of this initiative on the ballot pursuant to the mechanisms provided by State law.

F. The City Council may amend the CURB line location to encompass lands contemplated for construction of public potable water facilities, ~~public schools, or public parks, or other government facilities~~; all uses exempted from the provisions of this General Plan Amendment by the provisions of Section 8.3, but only to the minimum amount necessary to accommodate said uses.

G. The City Council may reorganize, renumber or reorder the individual provisions of the General Plan, including the provisions of this Section 8 sequence, in the course of ongoing updates of the General Plan in accordance with the requirements of State law.

~~{Added per Resolution No. 99-1572}~~

Section 4. Insertion Date

A. Upon the effective date of this initiative, it shall be deemed inserted, replacing the existing Section 8.0, *et seq.* of the Land Use Element of the City of Moorpark's General Plan as an amendment thereof; except, if the four amendments of the mandatory elements of the general plan permitted by state law for any given calendar year have already been utilized prior to the effective date of this initiative, this General Plan amendment shall be deemed inserted in the City's General Plan on January 1, of the calendar year immediately following the date this initiative is adopted.

B. The City of Moorpark General Plan in effect at the time the Notice of Intention to circulate this initiative measure was submitted to the City Clerk of Moorpark, and that General Plan as amended by this initiative measure, comprise an integrated, internally consistent and compatible statement of policies for the City. In order to ensure that the City of Moorpark General Plan remains an integrated, internally consistent and compatible statement of policies for the City as required by state law and to ensure that the actions of the voters in enacting this initiative are given effect, any provision of the General Plan that is adopted between the submittal date and the date that this initiative measure is deemed inserted into the General Plan, shall, to the extent that such interim-enacted provision is inconsistent with the General Plan provisions adopted by section 3 of this initiative measure, be amended as soon as possible and in the manner and time required by State law to ensure consistency between the provisions adopted by this initiative and other elements of the City's General Plan. In the alternative, such interim-enacted inconsistent provision shall be disregarded.

Section 5. Severability.

This 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 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 measure. The voters hereby declare that this 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 is declared invalid as applied to any person or circumstance, such invalidity shall not affect any application of this measure that can be given effect without the invalid application. This initiative shall be broadly construed in order to achieve the purposes stated in this initiative. It is the intent of the voters that the provisions of this measure shall be interpreted by the City and others in a manner that facilitates the confinement of urban uses thereby protecting agricultural, open space and rural lands, and preventing urban sprawl.

Section 6. Amendment or Repeal.

Except as otherwise provided herein, this initiative may be amended or repealed only by the voters of the City of Moorpark at an election held in accordance with state law.

Section 7. Competing Measures.

In the event there are competing measures on the same ballot with this measure that purport to address the same subject matter of this measure, the following rules shall apply: If more than one such measure passes, the both measures shall go into effect except to the extent that particular provisions of one initiative are in direct, irreconcilable conflict with particular provisions of another initiative. In that event, as to those conflicting provisions only, the provisions of the initiative which received the most votes shall prevail.

AN INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

Pursuant to Elections Code § 9203, the city attorney prepared the following title and summary of the chief purpose and points of the proposed measure:

AN INITIATIVE MEASURE AMENDING MOORPARK’S EXISTING GENERAL PLAN PROVISIONS RESTRICTING GROWTH OUTSIDE MOORPARK’S CITY URBAN RESTRICTION BOUNDARY

The initiative measure (“Measure”) proposed by this petition is known as the “Moorpark Save Open-space and Agricultural Resources – 2050 initiative,” or “Moorpark SOAR – 2050.”

In 1999, Moorpark voters adopted Measure S, known as the “Moorpark Save Open-space and Agricultural Resources,” or “Moorpark SOAR,” initiative. The 1999 Moorpark SOAR amended the Moorpark General Plan to establish the “Moorpark City Urban Restriction Boundary,” or “Moorpark CURB.” With minor exceptions, the 1999 Moorpark SOAR prohibits the City from permitting “urban services” or “urbanized uses of land” outside the Moorpark CURB until December 31, 2020. The City Council may amend the Moorpark CURB under certain specified circumstances.

This new Measure would extend the Moorpark SOAR’s provisions from December 31, 2020 to December 31, 2050 and make certain amendments to the General Plan provisions adopted by the 1999 Moorpark SOAR initiative.

The Measure would not change the location of the Moorpark CURB. The 1999 Moorpark SOAR established the Moorpark CURB as generally coterminous with the Moorpark Sphere of Influence line as it existed on January 1, 1998. The Moorpark CURB tracks the City limits, except a small portion of land located in the south eastern portion of the City that was annexed into the City in 1998 and would continue to fall outside the Moorpark CURB.

Currently, the City may permit certain public roads, potable water facilities, public schools, public parks or other government facilities to be constructed outside the Moorpark CURB. The Measure would remove the City’s ability to permit public schools and other government facilities (except public parks) outside the Moorpark CURB.

Currently, the City Council is authorized to reduce the size of the existing Moorpark CURB. The Measure clarifies that once reduced by the City Council, the Moorpark CURB may only be enlarged under certain circumstances pursuant to specified amendment procedures.

Currently, the City Council may amend the Moorpark CURB if land outside the Moorpark CURB line has not been used for agricultural purposes in the immediately preceding two years and is unusable for agriculture. The Measure would increase this time period from two years to four years. To amend the Moorpark CURB on this basis, the Measure would require notice to neighboring properties, the Ventura County Local Area Formation Commission, and certain other persons.

The Measure provides that the proposed amendments to the Moorpark General Plan shall take effect on the Measure’s effective date, unless the amendment would exceed the annual number of General Plan amendments permitted by State law. In that case, the General Plan amendments would take effect on January 1, 2017.

The Measure specifies rules if the General Plan is amended between the initiative submittal date and the Measure’s effective date to ensure the General Plan’s internal consistency.

The Measure may only be amended by a vote of the electorate and includes a severability clause so that if portions of the Measure are invalidated, the remaining portions would remain in effect.

Kevin G. Ennis, City Attorney, City of Moorpark

NOTICE TO THE PUBLIC: THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.

REGISTERED VOTERS ONLY			<small>OFFICIAL USE ONLY</small>
	1	PRINT YOUR NAME SIGNATURE AS REGISTERED TO VOTE	RESIDENCE ADDRESS ONLY CITY ZIP CODE
	2	PRINT NAME SIGNATURE AS REGISTERED	RESIDENCE ADDRESS ONLY CITY ZIP CODE
	3	PRINT NAME SIGNATURE AS REGISTERED	RESIDENCE ADDRESS ONLY CITY ZIP CODE
4	PRINT NAME SIGNATURE AS REGISTERED	RESIDENCE ADDRESS ONLY CITY ZIP CODE	

DECLARATION OF CIRCULATOR - City of Moorpark (To be completed in ink after signatures have been obtained.)

I, (PRINT NAME) _____ am duly qualified and registered to vote in the City of Moorpark. My residence address is: _____.

I circulated this section of the petition and witnessed each of the appended signatures being written. Each signature on this petition is to the best of my information and belief, the genuine signature of the person whose name it purports to be, and the signers were registered voters in the County of Ventura. All signatures on this document were obtained between the dates of _____ and _____, 20____. I declare under penalty of perjury the laws of the State of California that the foregoing is true and correct. Executed on _____, 20____ at Moorpark, California.

X

Complete signature of circulator

AN INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

Pursuant to Elections Code § 9203, the city attorney prepared the following title and summary of the chief purpose and points of the proposed measure:

AN INITIATIVE MEASURE AMENDING MOORPARK'S EXISTING GENERAL PLAN PROVISIONS RESTRICTING GROWTH OUTSIDE MOORPARK'S CITY URBAN RESTRICTION BOUNDARY

The initiative measure ("Measure") proposed by this petition is known as the "Moorpark Save Open-space and Agricultural Resources – 2050 initiative," or "Moorpark SOAR – 2050."

In 1999, Moorpark voters adopted Measure S, known as the "Moorpark Save Open-space and Agricultural Resources," or "Moorpark SOAR," initiative. The 1999 Moorpark SOAR amended the Moorpark General Plan to establish the "Moorpark City Urban Restriction Boundary," or "Moorpark CURB." With minor exceptions, the 1999 Moorpark SOAR prohibits the City from permitting "urban services" or "urbanized uses of land" outside the Moorpark CURB until December 31, 2020. The City Council may amend the Moorpark CURB under certain specified circumstances.

This new Measure would extend the Moorpark SOAR's provisions from December 31, 2020 to December 31, 2050 and make certain amendments to the General Plan provisions adopted by the 1999 Moorpark SOAR initiative.

The Measure would not change the location of the Moorpark CURB. The 1999 Moorpark SOAR established the Moorpark CURB as generally coterminous with the Moorpark Sphere of Influence line as it existed on January 1, 1998. The Moorpark CURB tracks the City limits, except a small portion of land located in the south eastern portion of the City that was annexed into the City in 1998 and would continue to fall outside the Moorpark CURB.

Currently, the City may permit certain public roads, potable water facilities, public schools, public parks or other government facilities to be constructed outside the Moorpark CURB. The Measure would remove the City's ability to permit public schools and other government facilities (except public parks) outside the Moorpark CURB.

Currently, the City Council is authorized to reduce the size of the existing Moorpark CURB. The Measure clarifies that once reduced by the City Council, the Moorpark CURB may only be enlarged under certain circumstances pursuant to specified amendment procedures.

Currently, the City Council may amend the Moorpark CURB if land outside the Moorpark CURB line has not been used for agricultural purposes in the immediately preceding two years and is unusable for agriculture. The Measure would increase this time period from two years to four years. To amend the Moorpark CURB on this basis, the Measure would require notice to neighboring properties, the Ventura County Local Area Formation Commission, and certain other persons.

The Measure provides that the proposed amendments to the Moorpark General Plan shall take effect on the Measure's effective date, unless the amendment would exceed the annual number of General Plan amendments permitted by State law. In that case, the General Plan amendments would take effect on January 1, 2017.

The Measure specifies rules if the General Plan is amended between the initiative submittal date and the Measure's effective date to ensure the General Plan's internal consistency.

The Measure may only be amended by a vote of the electorate and includes a severability clause so that if portions of the Measure are invalidated, the remaining portions would remain in effect.

Kevin G. Ennis, City Attorney, City of Moorpark

NOTICE TO THE PUBLIC: THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.

REGISTERED VOTERS ONLY	5	PRINT YOUR NAME	RESIDENCE ADDRESS ONLY	OFFICIAL USE ONLY
		SIGNATURE AS REGISTERED TO VOTE	CITY ZIP CODE	
	6	PRINT NAME	RESIDENCE ADDRESS ONLY	
		SIGNATURE AS REGISTERED	CITY ZIP CODE	
	7	PRINT NAME	RESIDENCE ADDRESS ONLY	
		SIGNATURE AS REGISTERED	CITY ZIP CODE	
	8	PRINT NAME	RESIDENCE ADDRESS ONLY	
		SIGNATURE AS REGISTERED	CITY ZIP CODE	

DECLARATION OF CIRCULATOR - City of Moorpark (To be completed in ink after signatures have been obtained.)

I, (PRINT NAME) _____ am duly qualified and registered to vote in the City of Moorpark. My residence address is: _____.

I circulated this section of the petition and witnessed each of the appended signatures being written. Each signature on this petition is to the best of my information and belief, the genuine signature of the person whose name it purports to be, and the signers were registered voters in the County of Ventura. All signatures on this document were obtained between the dates of _____ and _____, 20____. I declare under penalty of perjury the laws of the State of California that the foregoing is true and correct. Executed on _____, 20____ at Moorpark, California.

CIRCULATOR: When the signature boxes on this section are completed, or as many completed as possible, please return this and all other completed sections to:
Randy Westhaus / 7378 Griffith Lane, Moorpark, CA 93021 (805) 455-0603

X _____

Complete signature of circulator