

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:

**INITIATIVE EXTENDING THE CITY URBAN RESTRICTION BOUNDARY ORDINANCE
FROM DECEMBER 31, 2020, TO DECEMBER 31, 2050**

The proposed initiative would extend the current expiration date of an existing initiative governing City of Simi Valley land use laws from December 31, 2020, to December 31, 2050, and make other changes.

City Urban Restriction Boundary (CURB) Initiative: In November 1998 the voters adopted an Urban Restriction Boundary around the City coterminous, with minor exceptions, with the City's Sphere of Influence line established by the Local Agency Formation Commission (LAFCO) as it existed on January 1, 1998. This initiative passed by the voters is also known by the name Save Open-Space and Agricultural Resources or SOAR. The CURB prohibits the City from approving urbanized land uses and extending urban services, with certain exceptions, outside the CURB until December 31, 2020. The proposed initiative would extend this prohibition until December 31, 2050.

Under CURB, the City is prohibited from approving the extension of services such as public sewer systems, residential development of more than one dwelling unit per 10 acres of land, or establishment of commercial or industrial uses not related to agriculture or the production of minerals. The current CURB law allows construction of roadways, bikeways or other public transportation conveniences designated in the circulation element of the Simi Valley General Plan, and for incidental and necessary off-site improvements such as flood control catchments or diversions, provided such off-site improvements are conditioned to minimize environmental impacts.

Currently, voter approval is required to amend CURB, with the exception that the City Council may, following a public hearing, expand the CURB line by no more than 10 acres of land per year, in order to provide sites for affordable housing if necessary to comply with State law, subject to certain specific rigorous findings. The proposed initiative would add to the existing requirement that any proposed development expanding the CURB boundary address the highest priority need identified in an analysis regarding the City's compliance with State affordable housing law, by stating that any proposed development would "exclusively" address the highest priority need.

The proposed initiative would require at least 30 days' public notice of proposed modifications of the CURB prior to City Council consideration.

Under existing law, the CURB can be amended by the City Council without voter approval if the amended CURB line is within or coextensive with the limits of the existing CURB, if deemed by the City Council within the public interest. The initiative restricts this by stating that a change constricting the CURB boundary shall not thereafter be extended by the City Council absent a vote of the people. Existing law also allows the City Council to amend the CURB line based on substantial evidence that failure to amend the CURB line 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.

Lonnie J. Eldridge, City Attorney
November 17, 2015

**Notice of Intention to Circulate Petition and
Request That A Ballot Title and Summary Be Prepared
SAVE OPEN-SPACE AND AGRICULTURAL RESOURCES — 2050
SIMI VALLEY CITY URBAN RESTRICTION BOUNDARY**

Notice is hereby given by the persons whose names appear hereon of their intention to circulate a petition within the City of Simi Valley, 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:

The 1998 SOAR initiative, which expires in 2020, successfully accomplished its purposes: Prevention of urban sprawl, protection of open space and agricultural resources from urban incursion, together with maximizing the use of existing infrastructure. Those purposes were and continue to be significant concerns of the citizens of Simi Valley. This initiative advances those objectives by extending the life of the SOAR measure and its created City Urban Restriction Boundary (CURB), requiring until December 31, 2050, a vote of the citizens of the City for expansion of most urban land uses beyond the limits of the CURB 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 November 2, 2015

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CITY OF SIMI VALLEY
INITIATIVE EXTENDING THE CITY URBAN RESTRICTION BOUNDARY ORDINANCE
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The people of the City of Simi Valley do hereby ordain as follows:

Preamble

In November, 1998, the citizens of the City of Simi Valley adopted an initiative measure entitled Save Our Agricultural Resources (SOAR), establishing a City Urban Restriction Boundary (CURB). The Simi Valley SOAR and the protections from urban sprawl provided by the CURB sunset – expire – in 2020.

It is the intention of this initiative measure that the sunset clauses relating to the original SOAR initiative and its CURB be extended to December 31, 2050, and that the salient references in the Simi Valley General Plan be re-adopted and extended commensurately to December 31, 2050. Those passages are likewise set forth herein.

Accordingly, the Citizens of the City of Simi Valley do hereby ordain that the following original SOAR measure, modifications thereto being indicated by ~~strike-out~~ for deletions and additions by *italics* be hereby adopted:

Section 1. Title.

This initiative measure shall be known as the “2050 Simi Valley Save Open-space and Agricultural Resources,” or the “2050 Simi Valley SOAR,” initiative.

Section 2. Purpose and Findings.

A. Purpose. The purpose of this initiative is to *re-adopt* for the City of Simi Valley an Urban Restriction Boundary. *Because the* ~~The~~ *original* Simi Valley City Urban Restriction Boundary (Simi Valley CURB) line, *adopted by the citizens of Simi Valley in 1998* has *successfully achieved* the following objectives, *it is sought hereby to extend the same to December 31, 2050:*

1. To encourage efficient growth patterns and protect the City of Simi Valley’s quality of life by concentrating future development largely within existing developed areas, or, in some cases, directly adjacent to them, consistent with the availability of infrastructure and services;
2. To promote on lands outside the Simi Valley CURB line ongoing agricultural and other 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;
3. To manage the City’s growth in a manner that fosters and protects the character of Simi Valley while encouraging appropriate economic development in accordance with the City’s unique local conditions;
4. 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
5. 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. Findings.

1. The protection of existing agricultural, open-space viewshed and watershed lands surrounding the City of Simi Valley is of critical importance to present and future residents of the City of Simi Valley. Agriculture has been and remains a contributor to the economy of the City of Simi Valley and a major contributor to the economy of the County of Ventura, directly and indirectly creating employment for many people and generating substantial tax revenues for the City.

2. In particular, the City of Simi Valley and surrounding area, with its unique viewsheds, watershed lands and proximity to unique soils, micro-climate and hydrology, is a gate-keeper to one of the finest growing regions in the world. Vegetable and fruit production from the County of Ventura and in particular the importance of the Calleguas water shed area, Arroyo Simi, Tierra Rejada Valley and alluvial plains adjacent to the City have achieved international acclaim, enhancing the City’s economy and reputation.

3. Uncontrolled urban encroachment into agricultural, open space or watershed areas will impair agriculture and 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. 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.

4. The unique character of the City of Simi Valley and quality of life of City residents depends on the protection of a substantial amount of open space, rural and agricultural lands particularly outside of its City limits. 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 resources. As importantly, adopting a City Urban Restriction Boundary around the City of Simi Valley would 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 would promote efficient municipal services and facilities by confining urban development to defined development areas.

5. This initiative ensures that the Purposes and Principles set forth above are inviolable against transitory short-term political decisions and that agricultural, viewshed, 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, ~~2020~~ 2050, the City of Simi Valley shall restrict the provision of urban services, or creation of urban uses, other than in certain circumstances and according to specific procedures set forth in this initiative measure, within the Urban Restriction Boundary created by this initiative measure.

6. The CURB line, with minor exceptions, is initially established roughly coterminously with the location of the Sphere of Influence Line established by the Local Agency Formation Commission. While the Sphere of Influence line may be altered by the Local Agency Formation Commission without being affected by this initiative, the City Urban Restriction Boundary is a local land use tool and shall not be changed except as herein provided. *Attached hereto as Exhibit “A” is the City of Simi Valley General Plan “Planning Area” Map reflecting the CURB Boundary referenced in this paragraph, and which for purposes of illustrating the CURB is restated and readopted as set forth, infra.*

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INITIATIVE EXTENDING THE CITY URBAN RESTRICTION BOUNDARY ORDINANCE
FROM DECEMBER 31, 2020, TO DECEMBER 31, 2050
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Section 3. General Plan Amendment.

The Simi Valley SOAR – 2050 Initiative hereby amends and extends the Simi Valley General Plan Land Use Element by adoption of the following text. The amendment may be placed in the General Plan in the location deemed most appropriate by the City Council, and may be renumbered so as to conform with the organizational pattern of the existing General Plan Land Use Element:

1. SIMI VALLEY CITY URBAN RESTRICTION BOUNDARY

Introduction

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

2. PURPOSE

The City of Simi Valley and surrounding area faces tremendous development pressures at odds with the protection of unique resources. The City of Simi Valley is a gate-keeper to the unique combination of soils, micro-climate and hydrology, comprising 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 Calleguas watershed, the Arroyo Simi, Tierra Rejada Valley and alluvial plains adjacent to the City have achieved international acclaim, enhancing the City's economy and reputation.

The purpose of this initiative is to *continue* to ensure that the preservation of agricultural production open space, viewsheds and protection of environmentally sensitive habitat are inviolable against transitory short-term political decisions and that agricultural, viewshed, 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.

3. PRINCIPALS.

Uncontrolled urban encroachment into agricultural and watershed areas will impair agriculture, negatively impact sensitive environmental areas, intrude on open-space irrevocably changing its utility, diminishing the quality of life and threatening 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 Simi Valley but for its jurisdictional neighbors. Such urban encroachment would eventually result in both the unnecessary, expensive extension of public services and facilities and inevitable conflicts between urban and Open Space/ Agricultural uses. *The existing SOAR CURB line, Attached hereto as Exhibit "A," having successfully forestalled that uncontrolled urban encroachment, it is important that it continue to exist until at least December 31, 2050.*

The unique character of the City of Simi Valley 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 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 natural resources. As importantly, adopting an Urban Restriction Boundary around the City of Simi Valley will promote the formation and continuation of a cohesive community by defining the boundaries and by helping to prevent urban sprawl. Such an Urban Restriction Boundary will promote efficient municipal services and facilities by confining urban development to defined development areas.

4. IMPLEMENTATION

a. The City of Simi Valley *having established hereby establishes* a Simi Valley City Urban Restriction Boundary Line (Simi Valley CURB) *in 1998, hereby extends the life of that CURB Boundary Line until December 31, 2050.* With the minor exceptions originally created as set forth in subsections i through iv below, the Simi Valley CURB shall continue to be 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. The CURB line may be altered or modified pursuant to the Amendment Procedures set forth below. Although established in generally the same location as the Sphere of Influence line 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 coincidentally 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, the City Urban Restriction Boundary shall not be changed except as herein provided.

The CURB line shall follow the Sphere of Influence line, but shall additionally encompass the following properties, highlighted on Exhibit "A", to this Amendment:

- i. A small parcel approximately 20 acres in size on the north edge of the sphere of influence line, north, northwesterly of the Simi Valley Sanitary Landfill, being the extension of a planned cemetery, shown on Figure 1 of this Amendment as parcel 1.
- ii. A small parcel approximately 30 acres in size south easterly of the parcel described in "i", above, adjacent to and immediately outside of the Specific Plan Boundary for the Alamos & Brea Canyon Specific Plan Area, and part of the Alamos Canyon/Big Sky ranch, and an extension of the northern branch of the Alamos Canyon, shown on Figure 1 of this Amendment as parcel 2.
- iii. A small parcel approximately 30 acres in size north of Presidio Drive and east of Tapo Canyon Road, being part of Parcel "C" of Exhibit "C" of the Development Agreement adopted by Ordinance No. 830 on or about November 21, 1994, shown on Figure 1 of this Amendment as parcel 3.
- iv. A small parcel of approximately 50 acres in size east of Runkle Reservoir in the Area described in the Burro Flats Specific Plan Area, along and south westerly of the southerly extension of Sequoia Ave./ Runkle Hall Road, shown on Figure 1 of this Amendment as parcel 4.

b. Until December 31, ~~2020~~ 2050, the City of Simi Valley shall restrict urban services (except temporary mutual assistance with other jurisdictions) and urbanized uses of land to within the Simi Valley City Urban Restriction Boundary, *as set forth herein as Exhibit "A,"* except as provided herein and except for the purpose of completing roadways, bikeways, or other public transportation conveniences designated in the circulation element of the Simi Valley General Plan. ~~as of January 1, 1998;~~ and for the incidental and necessary off-site improvements such as flood control catchments or diversions, provided such off-site improvements are conditioned to minimize to an insignificant environmental impact. Other than for the exceptions provided herein, no discretionary project may be approved by the City of Simi Valley on lands outside of the Simi Valley City Urban Restriction Boundary as established by this initiative measure unless in accordance with the Amendment Procedures of Section 5 of this Amendment.

c. "Urbanized uses of land" shall mean any development which would require the establishment of new community sewer systems or the significant expansion of existing community sewer systems; or, would result in the creation of residential lots less than 10 acres in area; or, would result in the establishment of commercial or industrial uses which are neither agriculturally-related nor related to the production of mineral resources.

Exhibit A

CITY of SIMI VALLEY General Plan Update

Planning Area

- Legend**
-  City Boundary
 -  City Urban Restriction Boundary
 -  Sphere of Influence Boundary
 -  Area of Interest

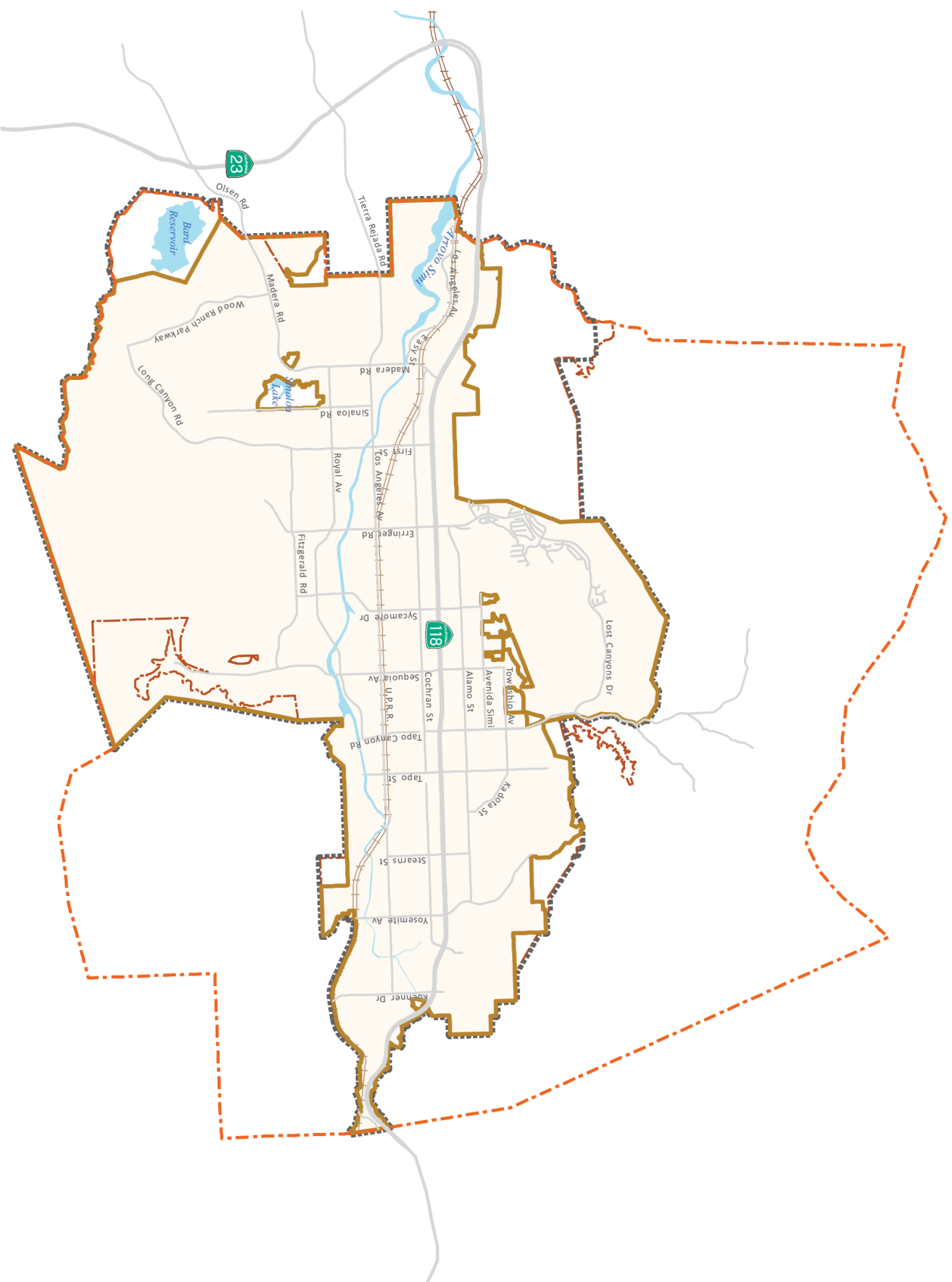


Figure LU-1

Source: Ventura County, 2003
 Date Revised: December 15, 2010
 D21310_Simi_Valley_GPP/Planning-Areas.mxd



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d. The City of Simi Valley General Plan Land Use Map, Land Use Figure LU-3 ~~is amended to reflecting~~ the existence of the Simi Valley City Urban Restriction Boundary, as shown on the attached Exhibit "A", ~~which shall be Figure 1 to the~~ *this Amendment, currently is readopted for the life of this initiative measure, until December 31, 2050.*

e. The City Urban Restriction Boundary, as defined herein, and as reflected on the attached Exhibit "A" (~~which shall be figure 1 to this Amendment~~), 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 5 of this Amendment.

f. The following excerpts from the 2012 City of Simi Valley General Plan are hereby readopted, subject to the internal modifications as indicated. ~~Strike-outs~~ are deletions; *italics* are additions; omissions indicate lack of relevance to this initiative:

Simi Valley City Urban Restriction Boundary (CURB).

The Simi Valley electorate adopted an initiative that established an urban growth boundary or CURB, in November 1988 [*sic, 1998*], *extended by initiative in November 2016*, which is effective until December ~~2020~~ 2050. The CURB is the result of a regional initiative, Save Open Space and Agricultural Resources (SOAR), which has been adopted in eight of the ten cities in Ventura County, *complimented by similar restrictions in Ventura County* and cannot be altered or amended except by a vote of the people. The targeted areas of growth in this General Plan are within the Simi Valley CURB.

LU-1.2 Development Location.

Limit development to lands within the Simi Valley City Urban Restriction Boundary (CURB), as shown in Figure LU-1 [*Exhibit "A" to this initiative*], thereby protecting existing agriculture, open space, viewsheds, wildlife, and watersheds surrounding the City from development impacts and limiting urban sprawl.

LU-1.3 Development Priorities.

Prioritize future growth as infill and redevelopment of existing developed areas re-using and, where appropriate, intensifying development of vacant and underutilized properties within the CURB.

* * *

Table LU-4 is hereby amended as follows:

LU-6 Citywide Urban Restriction Boundary (CURB). The City shall continue to enforce the CURB until December 31, ~~2020~~ 2050, or as extended, and review development proposals for consistency with the CURB to protect existing agricultural, open space, viewshed, and watershed lands surrounding the City.

* * *

Chapter 6, Natural Resources, 6-2: These policies are further supported by the Simi Valley City Urban Restriction Boundary (CURB), which was established by a vote of the electorate in 1988 [*sic, 1998*] *and as amended and extended in 2016*, to limit urban sprawl and protect the existing agricultural, open-space, view sheds, wildlife, and watershed areas surrounding the community from the impacts of development.

* * *

Table NR-1

NR-1 Open Space Preservation. The City shall continue to protect, conserve, and maintain the open space, hillside, and canyon areas that provide a buffer zone around the City's urban form, serve as designated habitat for sensitive species, and provide recreation opportunities by establishing partnerships with other land management agencies. The City shall maintain the Tierra Rejada Greenbelt and support the County's efforts to reduce development capacity in Greenbelt areas. In addition, the City shall maximize protection of open space through the following: amend the Development Code to provide effective open space preservation; require mitigation for the loss of habitat areas; require development agreements that maintain open space in private developments; establish and acquire conservation easements; accept donations for open space protection; and conserve undeveloped open space and drainage channels for the purpose of protecting water resources in the City's watershed.

5. AMENDMENT PROCEDURES

Until December 31, ~~2020~~ 2050, the foregoing Purposes, Principles and Implementation provisions of this initiative 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 described herein and designated on the attached Amended General Plan Planning Area Land Use Map 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 change constricting the CURB Boundary shall not thereafter be extended by the City Council absent a vote of the people.*

b. The City Council, following at least one public hearing for presentations by an applicant and the public, and after compliance with the California Environmental Quality Act, may amend the City Urban Restriction Boundary (CURB) described herein and designated on the attached ~~Amended~~ General Plan Planning Area Land Use Map, *Exhibit "A" Figure LU-3 of the 2012 City General Plan*, to comply with state law regarding the provision of housing for all economic segments of the community, ~~the City Council may amend the Urban Restriction Boundary as described herein and as designated on the attached Amended General Plan Planning Area Land Use Map~~ in order to accommodate lands to be designated for residential uses, provided that the *City Urban Restriction Boundary* is expanded by no more than 10 acres of land ~~may be brought within the Urban Restriction Boundary~~ for this purpose in any calendar year. Such amendment may be adopted only if the City Council makes each of the following findings:

- i) The land is immediately adjacent to existing comparably 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
- ii) That the proposed development will address *exclusively* the highest priority need identified in the analysis by which the City has determined it is not in compliance with State Law, i.e., low and very low income housing; and
- iii) That there is no existing residentially designated land available within the Urban Restriction Boundary to accommodate the proposed development; and
- iv) That it is not reasonably feasible to accommodate the proposed development by redesignating lands within the Urban Restriction Boundary.
- v) *Notice of such Proposed CURB 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.*

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c. The City Council following at least one public hearing for presentations by an applicant and the public, and after compliance with the California Environmental Quality Act, may amend the Urban Restriction Boundary described herein and designated on the attached Amended General Plan Planning Area Land Use Map, *Exhibit "A" Figure LU-3 of the 2012 City General Plan*, based on substantial evidence in the record, if the City Council makes each of the following findings:

- i) Application of the provisions of subsections b or c of these amendment procedures are unworkable and failure to amend the Urban Restriction Boundary would constitute an unconstitutional taking of a landowners property for which compensation would be required or would deprive the landowner of a vested right; and
- ii) 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.

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

e. The provisions of this initiative do not address, and are not intended in any way to inhibit the exercise of school district or other state or local prerogatives granted by the state, other than as applied to the City of Simi Valley. By way of example, and without limitation, the provisions of this initiative may be disregarded as necessary, but only to the extent necessary, to accommodate the exercise of legitimate State granted authority such as that set forth in Government Code §53094.

f. The General Plan may be reorganized and individual provisions, including the provisions of this initiative, may be renumbered or reordered in the course of ongoing updates of the General Plan in accordance with the requirements of state law.

Section 4. Insertion Date

A. Upon the effective date of this initiative, the General Plan is effectively amended to incorporate the terms of this initiative measure; except, that 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 in 1998 2016, 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, 1999 2017.

B. The City of Simi Valley General Plan in effect at the time the Notice of Intention to circulate this initiative measure was submitted to the City Clerk of Simi Valley, 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 Simi Valley 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 and of no validity or effect.

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 provided herein, this initiative may be amended or repealed only by the voters at an election.

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:

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Currently, voter approval is required to amend CURB, with the exception that the City Council may, following a public hearing, expand the CURB line by no more than 10 acres of land per year, in order to provide sites for affordable housing if necessary to comply with State law, subject to certain specific rigorous findings. The proposed initiative would add to the existing requirement that any proposed development expanding the CURB boundary address the highest priority need identified in an analysis regarding the City’s compliance with State affordable housing law, by stating that any proposed development would “exclusively” address the highest priority need.

The proposed initiative would require at least 30 days’ public notice of proposed modifications of the CURB prior to City Council consideration.

Under existing law, the CURB can be amended by the City Council without voter approval if the amended CURB line is within or coextensive with the limits of the existing CURB, if deemed by the City Council within the public interest. The initiative restricts this by stating that a change constricting the CURB boundary shall not thereafter be extended by the City Council absent a vote of the people. Existing law also allows the City Council to amend the CURB line based on substantial evidence that failure to amend the CURB line 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.

Lonnie J. Eldridge, City Attorney
November 17, 2015

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

R E G I S T E R E D V O T E R S O N L Y		PRINT YOUR NAME	RESIDENCE ADDRESS ONLY	OFFICIAL USE ONLY
	1	SIGNATURE AS REGISTERED TO VOTE	CITY	ZIP CODE
	2	PRINT NAME	RESIDENCE ADDRESS ONLY	
		SIGNATURE AS REGISTERED	CITY	ZIP CODE
3	PRINT NAME	RESIDENCE ADDRESS ONLY		
		SIGNATURE AS REGISTERED	CITY	ZIP CODE
4	PRINT NAME	RESIDENCE ADDRESS ONLY		
		SIGNATURE AS REGISTERED	CITY	ZIP CODE

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

I, (PRINT NAME) _____ am duly qualified and registered to vote in the City of Simi Valley. 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 Simi Valley, 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:

**INITIATIVE EXTENDING THE CITY URBAN RESTRICTION BOUNDARY ORDINANCE
FROM DECEMBER 31, 2020, TO DECEMBER 31, 2050**

The proposed initiative would extend the current expiration date of an existing initiative governing City of Simi Valley land use laws from December 31, 2020, to December 31, 2050, and make other changes.

City Urban Restriction Boundary (CURB) Initiative: In November 1998 the voters adopted an Urban Restriction Boundary around the City coterminous, with minor exceptions, with the City’s Sphere of Influence line established by the Local Agency Formation Commission (LAFCO) as it existed on January 1, 1998. This initiative passed by the voters is also known by the name Save Open-Space and Agricultural Resources or SOAR. The CURB prohibits the City from approving urbanized land uses and extending urban services, with certain exceptions, outside the CURB until December 31, 2020. The proposed initiative would extend this prohibition until December 31, 2050.

Under CURB, the City is prohibited from approving the extension of services such as public sewer systems, residential development of more than one dwelling unit per 10 acres of land, or establishment of commercial or industrial uses not related to agriculture or the production of minerals. The current CURB law allows construction of roadways, bikeways or other public transportation conveniences designated in the circulation element of the Simi Valley General Plan, and for incidental and necessary off-site improvements such as flood control catchments or diversions, provided such off-site improvements are conditioned to minimize environmental impacts.

Currently, voter approval is required to amend CURB, with the exception that the City Council may, following a public hearing, expand the CURB line by no more than 10 acres of land per year, in order to provide sites for affordable housing if necessary to comply with State law, subject to certain specific rigorous findings. The proposed initiative would add to the existing requirement that any proposed development expanding the CURB boundary address the highest priority need identified in an analysis regarding the City’s compliance with State affordable housing law, by stating that any proposed development would “exclusively” address the highest priority need.

The proposed initiative would require at least 30 days’ public notice of proposed modifications of the CURB prior to City Council consideration.

Under existing law, the CURB can be amended by the City Council without voter approval if the amended CURB line is within or coextensive with the limits of the existing CURB, if deemed by the City Council within the public interest. The initiative restricts this by stating that a change constricting the CURB boundary shall not thereafter be extended by the City Council absent a vote of the people. Existing law also allows the City Council to amend the CURB line based on substantial evidence that failure to amend the CURB line 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.

Lonnie J. Eldridge, City Attorney
November 17, 2015

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

REG I S T E R E D V O T E R S O N L Y	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

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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:
Diane Bentz / 1424 Mellow Lane, Simi Valley, CA 93065 (805) 338-2823

X

Complete signature of circulator