

**INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS
ADAMS CANYON AGRICULTURE PRESERVATION INITIATIVE
SANTA PAULA GENERAL PLAN AMENDMENT INITIATIVE (Page 1 of 4)**

NOTICE OF INTENTION TO CIRCULATE PETITION

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the City of Santa Paula for the purpose of qualifying the petition for the November 5, 2002 ballot or failing that date for a Special Election. A statement of the reasons of the proposed action as contemplated in the petition is as follows:

Adams Canyon is a particularly sensitive Open Space, Agricultural and Watershed area for the citizens of Santa Paula, and they should be involved in the planning and decision-making for any proposed urban uses. Accordingly, the area should be designated Agriculture in the General Plan, and remain so designated unless and until a specific plan warranting a modification is adopted and approved by the voters of Santa Paula.

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

Respectfully Submitted. April 3, 2002

Jack Totheroh

Robert Borrego

James Proctor

**AN INITIATIVE TO AMEND THE GENERAL PLAN OF THE CITY OF SANTA PAULA TO PLACE THE
ADAMS CANYON EXPANSION AREA IN THE AGRICULTURAL LAND USE CATEGORY
BALLOT SUMMARY**

The initiative says that its purpose is to ensure that preservation policies relating to lands, such as Adams Canyon, presently under development pressures, are inviolable against transitory short-term political decisions and that agricultural, and other lands in Adams Canyon, outside of the presently defined Santa Paula CITY URBAN RESTRICTION BOUNDARY, are not converted to other non-agricultural or non-open space uses without a specific definition of the proposed development, public debate and a vote of the people.

The initiative also states certain findings and objectives. Among them are:

- A. The protection of existing agricultural, open space and watershed lands surrounding the City of Santa Paula and within its Planning Area is of importance to present and future residents of the City of Santa Paula.
- B. Agriculture has been and remains the major contributor to the economy of the City of Santa Paula and the County of Ventura.
- C. Uncontrolled urban encroachment into agricultural and watershed areas will impair agriculture and threaten the public health, safety and welfare.
- D. Adams Canyon is a watershed area, the paving of which could severely contribute to potential flooding and other ecological difficulties.
- E. The unique character of the City of Santa Paula and quality of life of City residents depend on the protection of a substantial amount of open space and agricultural lands. The protection of such lands ensures the continued viability of agriculture, and also protects the available water supply of wildlife, environmentally sensitive areas and natural resources.

In particular, the initiative amends the General Plan Land Use Element to place the entire 5,413 acres identified in the General Plan as the "Adams Canyon Expansion Area" in the "Agriculture" Land use Category, as identified in General Plan Land Use table LU-7.

By so recategorizing the entirety of Adams Canyon the build-out would be reduced to 234 (20-acre minimum parcel size), absent a public vote. That is, the 5,413 acres of Adams Canyon would remain "Agriculture," as presently defined, unless changed by a vote of the public until December 31, 2020.

This initiative also says that it shall not apply to or affect any property owner whose property has acquired any of the following prior to its effective date:

1. A vested right pursuant to state law;
2. A validly approved and fully executed development agreement with City; or
3. Approval of a vesting tentative map.
4. The provisions of this initiative do not address, and are not intended to in any way inhibit the exercise of school or other state or local prerogatives, other than as applied to the City of Santa Paula.
5. Adoption of this measure by the voters of the City of Santa Paula will not change or modify the existing Land Use designations or the zoning as presently designated or permitted by the County of Ventura.

Dated: April 18, 2002

PHILLIP H. ROMNEY, City Attorney for the City of Santa Paula

**ADAMS CANYON AGRICULTURE PRESERVATION INITIATIVE
SANTA PAULA GENERAL PLAN AMENDMENT INITIATIVE
FULL TEXT OF ORDINANCE**

The people of the City of Santa Paula do hereby ordain as follows:

Section 1. Title.

This initiative shall be known as the ADAMS CANYON AGRICULTURE PRESERVATION INITIATIVE.

Section 2. Findings and Objectives.

A. The protection of existing agricultural, open space and watershed lands surrounding the City of Santa Paula and within its Planning Area is of critical importance to present and future residents of the City of Santa Paula. Agriculture has been and remains the major contributor to the economy of the City of Santa Paula and County of Ventura, creating employment for many people, directly and indirectly, and generating substantial tax revenues for the City. Additionally, wetlands and

**ADAMS CANYON AGRICULTURE PRESERVATION INITIATIVE
SANTA PAULA GENERAL PLAN AMENDMENT INITIATIVE (Page 2 of 4)**

riparian areas within the Santa Paula Planning Area are of world class importance providing irreplaceable environmental resources and habitats.

B. In particular, the City of Santa Paula and surrounding area, with its unique combination of soils, micro-climate 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 Santa Clara River, and alluvial plains adjacent to the City have achieved international acclaim, enhancing the City's economy and reputation.

C. Uncontrolled urban encroachment into agricultural and 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, flooding and sedimentation of available water resources. Adams Canyon is a particularly sensitive watershed area, the paving of which could severely contribute to potential flooding and other ecological difficulties.

D. The unique character of the City of Santa Paula and quality of life of City residents depend on the protection of a substantial amount of open space and agricultural lands. The protection of such lands, epitomized by Adams Canyon, 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, limiting urban growth within the Adams Canyon area adjacent to the City of Santa Paula absent a public vote would promote the formation and continuation of a cohesive community by reaffirming its boundaries and by helping to prevent urban sprawl, while enhancing the public's participation in the planning and approval of any proposed development within the Adams Canyon Area.

E. The objective of this initiative is to ensure that preservation policies relating to such sensitive and important lands, such as Adams Canyon, presently under tremendous development pressures, are inviolable against transitory short-term political decisions and that agricultural, and other lands in Adams Canyon, outside of the presently defined Santa Paula CITY URBAN RESTRICTION BOUNDARY, are not prematurely or unnecessarily converted to other non-agricultural or non-open space uses without a specific definition of the proposed development, public debate and a vote of the people.

Section 3. Implementation to Achieve Objective.

A. This initiative hereby Amends the General Plan Land Use Element to place the entire 5,413 acres identified in the General Plan as the "Adams Canyon Expansion Area" in the "Agriculture" Land Use Category, as identified in General Plan Land Use table LU-7. By so recategorizing the entirety of Adams Canyon, the following components of the Land Use Element are necessarily modified, as well:

- 1) Table LU-5 indicates that 4,694 acres of Adams Canyon will have, at build-out, 1,980 dwelling units. That Build-Out scenario is reduced to 234 (20 acre minimum parcel size), absent a public vote.
- 2) Table LU-5 indicates that 15 acres of Adams Canyon will have, at build-out, 180 dwelling units. That Build-Out scenario is reduced to -0-, absent a public vote.
- 3) Table LU-5 indicates that 5 acres of Adams Canyon will have, at build-out, 90 dwelling units. That Build-Out scenario is reduced to -0-, absent a public vote.
- 4) Table LU-5 indicates that 10 acres of Adams Canyon will have, at build-out, 152,460 square feet of neighborhood commercial. That Build-Out scenario is reduced to -0-, absent a public vote.
- 5) Table LU-5 indicates that 230 acres of Adams Canyon will have, at build-out, a resort hotel with golf course. That Build-Out scenario is reduced to -0-, absent a public vote.
- 6) Table LU-5 indicates that 150 acres of Adams Canyon will have, at build-out, a hotel and golf course. That Build-Out scenario is reduced to -0-, absent a public vote.

Remaining unaffected by this initiative Amendment are the potential for 2 or more schools.

- 7) Table LU-6 reflects the inclusion of the 2,250 dwelling units and 152,460 square feet of neighborhood commercial, now removed from the general plan. It is modified, accordingly.
- 8) Map LU-5 is modified to reflect the elimination of the dwelling units, commercial, and hotel/golf course uses from the Adams Canyon area, and recast to demonstrate the over-all designation. Said Land Use designation is graphically represented by exhibit "A" to this Initiative Measure.
- 9) Table LU-7 is modified to remove each existing reference to Adams Canyon from any and all Land Use Categories, Locations, and to specifically reflect its new placement within the "Agriculture" designation to correspond with Exhibit "A" attached hereto.

B. Until December 31, 2020, the City of Santa Paula shall not, absent approval of a majority of the voters voting at a duly scheduled election, increase the residential or commercial density or intensity of use beyond that presently described in the above-referenced Amendments. That is, the 5,413 acres of Adams Canyon shall remain "Agriculture," as presently defined, unless changed by a vote of the public, until December 31, 2020.

AMENDMENT PROCEDURES

A. Except as set forth in Paragraphs "B" or "C" below, modification of the "Agriculture" land use designation as applied by this initiative to the 5,413 acres of Adams Canyon may only be accomplished by a vote of the duly registered electorate of the City of Santa Paula. Approval by a vote of the people is accomplished when a General Plan amendment is placed on the ballot through any procedure provided for in the Election Code, and a majority of the voters then voting approve of the change. Whenever the City Council adopts an amendment requiring approval by a vote of the people pursuant to the provisions of this subsection, the City Council's action shall have no effect until after such a vote is held and a majority of the voters vote in favor of it. The City Council shall follow the provisions of the California Public Resources and Elections Code in all matters pertaining to such an election.

**ADAMS CANYON AGRICULTURE PRESERVATION INITIATIVE
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B. Modification of the “Agriculture” land use designation as applied by this initiative to the 5,413 acres of Adams Canyon may be accomplished absent a public vote if development of that land is specifically necessary to meet any state-mandated housing requirements imposed upon the City of Santa Paula. Such exception shall be limited to not more than 20 acres in any calendar year.

C. Modification of the “Agriculture” land use designation as applied by this initiative to the 5,413 acres of Adams Canyon may be accomplished absent a public vote if:

- i. The City Council makes a finding based upon substantial evidence that the application of the provisions of Section “A” of this Amendment subsection would constitute an unconstitutional taking of the landowners’ property; and
- ii. In permitting the redesignation, the City Council allows additional land uses only to the extent necessary to avoid said unconstitutional taking of the landowner’s property

Section 4. Exemptions for Certain Projects.

This initiative shall not apply to or affect any property owner whose property has acquired any of the following prior to its effective date:

- A. A vested right pursuant to state law;
- B. A validly approved and fully executed development agreement with City; or
- C. Approval of a vesting tentative map.

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

E. Adoption of this measure by the voters of the City of Santa Paula will not change or modify the existing Land Use designations or the zoning as presently designated or permitted by the County of Ventura.

Section 5. Insertion Date

A. Upon the effective date of this initiative, the initiative shall be deemed inserted in the Santa Paula 2020 General Plan as an amendment thereof; 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 2002, 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, 2003.

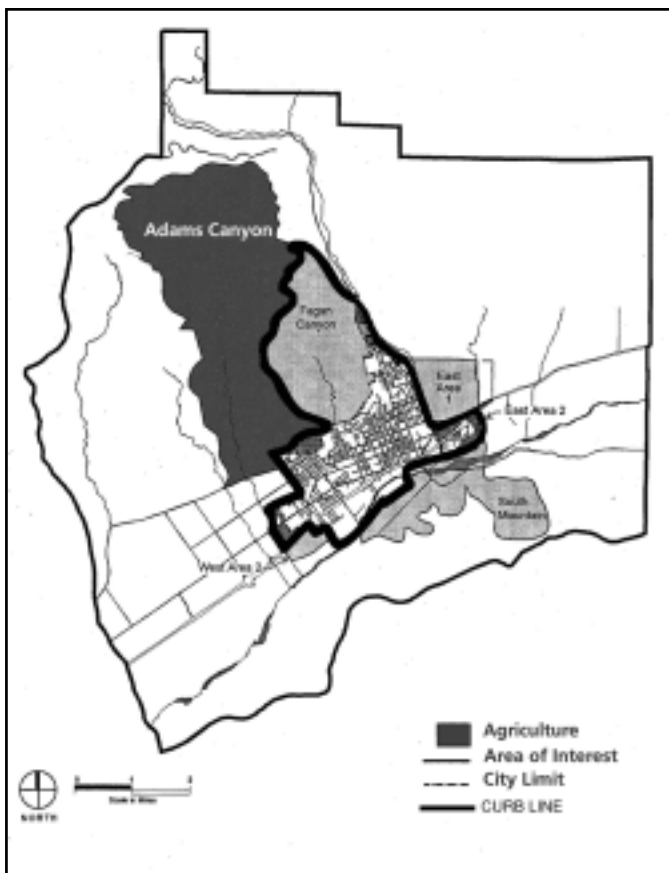
B. The provisions of this initiative shall prevail over any revisions to the City of Santa Paula’s 2020 General Plan as amended through the insertion date or to the City of Santa Paula’s 2020 Land Use Map as amended through January 1, 1998, which conflict with this initiative. Except as provided in Section 3 above, upon the insertion date all General 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.

Section 6. Severability.

If any portion of this initiative is declared invalid by a court, the remaining portions are to be considered valid.

Section 7. Amendment or Repeal.

This initiative may be amended or repealed only by the voters at a general election.



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- A. The protection of existing agricultural, open space and watershed lands surrounding the City of Santa Paula and within its Planning Area is of importance to present and future residents of the City of Santa Paula.
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- E. The unique character of the City of Santa Paula and quality of life of City residents depend on the protection of a substantial amount of open space and agricultural lands. The protection of such lands ensures the continued viability of agriculture, and also protects the available water supply of wildlife, environmentally sensitive areas and natural resources.

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Dated: April 18 , 2002

PHILLIP H. ROMNEY, City Attorney for the City of Santa Paula

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

THIS COLUMN FOR OFFICIAL USE ONLY

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

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

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 City of Santa Paula. All signatures on this document were obtained between the dates of _____ and _____, 2002. I declare under penalty of perjury the laws of the State of California that the foregoing is true and correct. Executed on _____, 2002 at Santa Paula, California.

X

Complete signature of circulator