

**INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS**

**TITLE AND SUMMARY PREPARED BY THE CITY ATTORNEY PERSUANT  
TO THE CALIFORNIA ELECTIONS CODE SECTION 9203**

**AN INITIATIVE MEASURE TO AMEND A VOTER APPROVED INITIATIVE ADOPTED IN  
NOVEMBER OF 1998, WHICH ESTABLISHED AN URBAN BOUNDARY LINE AND AMENDED THE  
SIMI VALLEY GENERAL PLAN**

**Section 1 is the author's title.**

**Section 2 states that the purpose of the initiative is to amend by constricting the City Urban Restrictive Boundary (CURB) which was previously adopted for the City of Simi Valley by initiative. This section states that the formerly articulated purposes and findings remain important and are set forth again.**

**Section 3 states that this initiative shall amend the Simi Valley General Plan Land Use Element, and will modify the CURB to be coterminous with and in the same location as the City Limit Line of the City as it existed as of January 1, 2002. Other than for exceptions provided, no discretionary project may be approved by the City of Simi Valley on lands outside of the CURB. If certain findings are made, up to ten additional acres of land, may be brought into the CURB each year in order to comply with the state law regarding provision of housing for all economic segments of the community. Additionally, the City Council may amend the CURB if other amendment procedures are unworkable and the CURB needs amending in order not to constitute an unconstitutional taking or so as not to deprive a landowner of a vested right. Other amendments to the CURB or the initiative may be placed on the ballot by the City Council.**

**Section 4 states that any provision of the General Plan that is adopted between the submittal date and the date that this amendment takes effect, if inconsistent with this initiative, shall be amended as soon as possible to achieve consistency or in the alternative shall be disregarded and be of no validity or effect.**

**Section 5 states that if any portion of the measure is declared invalid by a court, the remaining parts of the measure are considered to be valid.**

**Section 6 states that except as otherwise provided, the measure may only be amended or repealed by voters at an election held in accordance with state law.**

**Section 7 states certain rules which will apply in the event that there are competing measures on the same ballot.**

**Dated: February 28, 2002**

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

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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 Simi Valley, County of Ventura. 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 City of Simi Valley. All signatures on this document were obtained between the dates of \_\_\_\_\_ and \_\_\_\_\_, 1998. I declare under penalty of perjury the laws of the State of California that the foregoing is true and correct. Executed on \_\_\_\_\_, 1998 at Simi Valley, California.

**X**

\_\_\_\_\_  
Complete signature of circulator

**INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS**  
**SAVE OPEN-SPACE AND AGRICULTURAL RESOURCES URBAN RESTRICTION BOUNDARY**  
**FULL TEXT OF ORDINANCE (PAGE 2 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 Simi Valley for the purpose of qualifying the petition for the November 3, 1998 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 is a primary concern of the citizens of Simi Valley. This initiative advances those objectives by requiring a vote of the citizens of the City for any expansion of urban land uses beyond the limits of the Simi Valley Urban Restriction Boundary (CURB) set forth in this initiative.

Respectfully Submitted.  
March 2, 1998.

\_\_\_\_\_  
Kevin Conville

\_\_\_\_\_  
Diane Bentz

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Section 3 states that this initiative shall amend the Simi Valley General Plan Land Use Element, and will modify the CURB to be coterminous with and in the same location as the City Limit Line of the City as it existed as of January 1, 2002. Other than for exceptions provided, no discretionary project may be approved by the City of Simi Valley on lands outside of the CURB. If certain findings are made, up to ten additional acres of land, may be brought into the CURB each year in order to comply with the state law regarding provision of housing for all economic segments of the community. Additionally, the City Council may amend the CURB if other amendment procedures are unworkable and the CURB needs amending in order not to constitute an unconstitutional taking or so as not to deprive a landowner of a vested right. Other amendments to the CURB or the initiative may be placed on the ballot by the City Council.

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Section 5 states that if any portion of the measure is declared invalid by a court, the remaining parts of the measure are considered to be valid.

Section 6 states that except as otherwise provided, the measure may only be amended or repealed by voters at an election held in accordance with state law.

Section 7 states certain rules which will apply in the event that there are competing measures on the same ballot.

Dated: February 28, 2002

To the Honorable City Clerk for the City of Simi Valley: We, the undersigned, registered and qualified voters of the City of Simi Valley hereby propose an initiative measure to amend the City of Simi Valley General Plan. We petition you to submit this measure to the City Council of Simi Valley for adoption without change, or for submission of the measure to the voters of the City of Simi Valley at a general or special election. The measure provides as follows:

**CITY OF SIMI VALLEYSAVE OPEN-SPACE AND AGRICULTURAL RESOURCES**  
**CITY URBAN RESTRICTION BOUNDARY, II**

The people of the City of Simi Valley do hereby ordain as follows:

**Section 1. Title.**

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

**Section 2. Purpose, Principles, and Findings.**

A. Purpose & Principles. The purpose of this initiative is to AMEND BY CONSTRICTING the City Urban Restriction Boundary (CURB) previously adopted for the City of Simi Valley by initiative. While the formerly articulated purposes and findings remain important, and are set forth here, again, the importance of direct and democratic public participation in potentially community altering development should also be acknowledged:

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.
6. To provide a mechanism for direct and democratic public involvement in potentially community altering developments on the fringes of the current City boundary.

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

# SAVE OPEN-SPACE AND AGRICULTURAL RESOURCES URBAN RESTRICTION BOUNDARY FULL TEXT OF ORDINANCE (PAGE 3 OF 4)

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, 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.

## Section 3. General Plan Amendment.

The Simi Valley SOAR Initiative hereby amends 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), and amended it by initiative. 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. Furthermore, the citizens of Simi Valley have indicated an interest in being more directly involved in development projects on its fringes, and wish to exercise their rights and oversight through democratic involvement in the process.

The purpose of this initiative is 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, and to more directly involve the citizens of this City in development projects on the City's fringes and to more thoroughly involve them through democratic involvement in the process.

### 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 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, and which is more likely to be protected through the direct involvement of the citizenry in regulating the potentially community altering development on the City's edges. The protection of such lands through the implementation of this Initiative not only ensures the continued viability of agriculture, protects the available water supply and contributes to flood control and the protection of wildlife, environmentally sensitive areas, and irreplaceable natural resources, but will more directly involve the citizenry in the government of their City and democratize the development processes in the City. 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, subject to the Citizenry's involvement in such potentially community altering developments.

### 4. IMPLEMENTATION

a. The City of Simi Valley hereby MODIFIES the formerly adopted Simi Valley City Urban Restriction Boundary Line (Simi Valley CURB). The Simi Valley CURB shall be established coterminous with and in the same location as the City Limit line of the City as it exists as of January 1, 2002. The CURB line may be altered or modified pursuant to the Amendment Procedures set forth below. Although established in the same location as the City limits of the City of Simi Valley, and is occasionally coterminous with the Sphere of Influence line, as those lines have been established by LAFCO, the CURB is not intended to and shall in no way inhibit the Local Agency Formation Commission from changing or altering either the City boundaries or the Sphere of Influence line in accordance with state law. The CURB line, the City limit line and the Sphere of Influence line, although coincidentally and occasionally coterminous as of one point in time are independent one from the other in legal significance and purpose. While the City limit line and 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 Simi Valley SOAR Initiative formerly amended the Simi Valley General Plan Land Use Element by adoption of a City Urban Restriction Boundary. That boundary is AMENDED, as follows:

#### FORMER City Urban Restriction Boundary (CURB) DESCRIPTION TO BE DELETED:

The CURB line shall follow the Sphere of Influence line, but shall additionally encompass the following properties, highlighted on Exhibit "A", Figure 1 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.

#### NEW City Urban Restriction Boundary (CURB) DESCRIPTION AND TEXT TO BE INSERTED:

a. The CURB line shall follow and adhere to the City Limits of the City of Simi Valley in effect on January 1, 2002.

b. Until December 31, 2020, 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, 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, 2002, 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.

d. The City of Simi Valley General Plan Land Use Map is amended to reflect the existence of the Simi Valley Urban Restriction Boundary, as shown on the attached Exhibit "A", which shall be Figure 1 to the Amendment.

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, except by vote of the people or by the City

**SAVE OPEN-SPACE AND AGRICULTURAL RESOURCES URBAN RESTRICTION BOUNDARY  
FULL TEXT OF ORDINANCE (PAGE 4 OF 4)**

Council pursuant to the procedures set forth in Section 5 of this Amendment.

**5. AMENDMENT PROCEDURES**

Until December 31, 2020, 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 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 Urban Restriction Boundary.

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 Urban Restriction Boundary described herein and designated on the attached Amended General Plan Planning Area Land Use Map 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 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 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 within the C.U.R.B.

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 based on substantial evidence in the record, if the City Council makes each of the following findings:

i) Application of the provisions of subsections i) 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 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 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. 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.

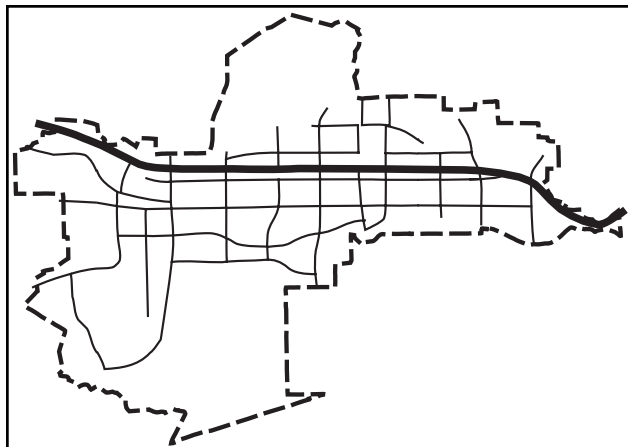
**Section 6. Amendment or Repeal.**

Except as otherwise provided herein, this initiative may be amended or repealed only by the voters of the City of Simi Valley 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.

**Simi Valley City Limits and CURB**



**RETURN PETITIONS TO SIMI  
VALLEY SOAR:  
1424 Mellow Lane  
Simi Valley, CA 93065  
584-3213**