

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Maureen Benson, City Clerk *MB*

DATE: November 21, 2016 (CC Meeting of 12/7/16)

SUBJECT: Consider City Council Resolution Reciting the Fact of the General Municipal Election Held on November 8, 2016, and Declaring the Election Results and Such Other Matters as Required by Law

BACKGROUND

The City of Moorpark General Municipal Election was held on November 8, 2016. The City Council by adoption of Resolution No. 2016-3512 called the election and requested that the County Board of Supervisors consolidate the City's General Municipal Election with the Statewide General Election. City Council Resolution No. 2016-3530 authorized the Board of Supervisors to direct the County Clerk to canvass the election returns of the City's General Municipal Election.

DISCUSSION

At the time of writing this agenda report, the County Clerk is currently scheduled to complete the canvass of the election returns and provide a certification of election results by December 6, 2016, and a copy of the County Clerk's certification of the election results will then be incorporated into a revised election certification resolution and provided to the City Council in an addendum staff report. Section 10262 of the State Elections Code requires for a consolidated election that the city elections official (upon receipt of the results of the election from the elections official conducting the election) shall certify the results to the governing body. The City Clerk's certification will accompany the County Clerk's certification to be provided to the City Council upon receipt from the County Clerk, which is expected to be prior to the December 7 regular meeting. Attached to this report is the draft resolution (without the final certifications).

Section 10263 of the Elections Code requires that upon the completion of the canvass and before installing the new officers, the governing body of the city shall adopt a resolution reciting the fact of the election and such other matters as are enumerated in Section 10264. Section 10264 requires that as soon as the result of the election is declared, the elections official of the governing body shall enter on its records a statement of the result, which must show:

- (a) The whole number of votes cast in the city.
- (b) The names of the persons voted for.
- (c) The measures voted upon.
- (d) For what office each person was voted for.
- (e) The number of votes given at each precinct to each person and for and against each measure.
- (f) The number of votes given in the city to each person and for and against each measure.

The final resolution that is intended to be adopted by the City Council on December 7 will recite the fact of the General Municipal Election held on November 8, 2016, and declare the election results and such other matters as required by law. This resolution will also declare that Measure "E" (Moorpark SOAR – 2050) was adopted by a majority of the voters and shall go into effect ten days after adoption of the resolution on December 17, 2016.

Section 10265 of the Elections Code requires that the elections official shall immediately sign and deliver to each person elected a certificate of election. The elections official is also required to administer to each person elected the oath of office prescribed in the California Constitution. The certificate of election and the oath requirements will be accomplished at the December 7 meeting.

STAFF RECOMMENDATION

Adopt Resolution No. 2016-____ (as revised to incorporate the certified election results).

- Attachment 1: Draft Resolution
- Attachment 2: Draft Measure E Ordinance

RESOLUTION NO. 2016-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 8, 2016, AND DECLARING THE ELECTION RESULTS AND SUCH OTHER MATTERS AS REQUIRED BY LAW

WHEREAS, a General Municipal Election was held and conducted in the City of Moorpark, California, on Tuesday, November 8, 2016, as required by law; and

WHEREAS, notice of the election was duly and regularly given in time, form and manner as provided by law, voting precincts were properly established, election officers were appointed, and in all respects, the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the Elections Code of the State of California for holding of elections in cities; and

WHEREAS, pursuant to City Council Resolution No. 2016-3530, adopted July 6, 2016, the County Clerk of Ventura canvassed the returns of the General Municipal Election held for the purpose of electing a Mayor for the full term of two years and electing two (2) Members of the City Council for full terms of four years; and the County Clerk has certified the results of the election to this City Council and the results are received, attached and made a part hereof in Exhibit A; and

WHEREAS, pursuant to Section 10262 of the State Elections Code, the City Clerk's certification of the election results is attached and made a part hereof in Exhibit A.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the name of the person voted for at the General Municipal Election for Mayor for the full term of two years are in ballot order as follows:

Jeffrey Hirth
Janice S. Parvin

That the names of persons voted for at the General Municipal Election for two Members of the City Council for the full term of four years are in ballot order as follows:

Ken Simons
Jeffrey Schoettlin
Terri A. Doria
Daniel Groff
Steve Tarn
Roseann Mikos

SECTION 2. That the whole number of precinct votes cast in the City was _____ and the whole number of vote by mail ballots cast was _____, making a total of _____ ballots cast at the Moorpark General Municipal Election.

That the number of votes given at each precinct and the number of votes given in the City to each such person named for the office for which the persons were candidates is as listed in Exhibit A, attached.

The City Council does declare and determine that:

Janice S. Parvin was elected as Mayor of the City Council of the City of Moorpark for a full two-year term; and Roseann Mikos and Ken Simons were elected as Members of the City Council, each for a full four-year term.

SECTION 3. That Measure “E” (Moorpark SOAR – 2050) voted upon at the General Municipal Election was as follows:

Shall the Ordinance entitled “Moorpark Save Open-space and Agricultural Resources – 2050 Initiative” (“Moorpark SOAR – 2050”) be adopted to extend with certain amendments the provisions of the 1999 voter-approved Moorpark SOAR from December 31, 2020 to December 31, 2050 and continue to prohibit the City of Moorpark from permitting urban services or urbanized uses of land outside the current Moorpark City Urban Restriction Boundary (CURB) with certain exceptions during that extended period?

SECTION 4. That the whole number of votes cast in the City, except vote by mail ballots, was _____. That the whole number of vote by mail ballots cast was _____, making a total of _____ ballots cast.

That the number of votes given at each precinct, the number of votes given in the City for and against the Measure, are as listed in Exhibit A, attached.

The City Council does declare and determine that:

Measure “E” was adopted by a majority of the votes, voting on the proposed ordinance, and shall go into effect ten (10) days after adoption of this resolution.

SECTION 5. That the City Clerk shall certify to the passage and adoption of this Resolution and shall enter it into the book of original resolutions.

PASSED AND ADOPTED this 7th day of December, 2016.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

Exhibit A: Certificate of the County Clerk
Statement of Votes by Precinct
Official Results Cumulative Totals Report
Certificate of the City Clerk

EXHIBIT A

**CERTIFICATE OF THE COUNTY CLERK
(Elections Code Sections 15372 and 10264)**

**CITY OF MOORPARK GENERAL MUNICIPAL ELECTION
NOVEMBER 8, 2016**

TO BE INSERTED

COUNTY OF VENTURA STATEMENT OF VOTE
CONSOLIDATED GENERAL ELECTION
NOVEMBER 8, 2016

TO BE INSERTED

CONSOLIDATED GENERAL ELECTION
NOVEMBER 8, 2016
SUMMARY REPORT
COUNTY OF VENTURA
FINAL – 12/__/2016

TO BE INSERTED

CERTIFICATE OF THE CITY CLERK
Elections Code Section 10262

CITY OF MOORPARK
GENERAL MUNICIPAL ELECTION
November 8, 2016

STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss.
CITY OF MOORPARK)

I, MAUREEN BENSON, City Clerk of the City of Moorpark, State of California, in compliance with Section 10262 of the Elections Code do hereby certify the results of the City of Moorpark General Municipal Election as provided in the Certificate of the County Clerk of the County of Ventura dated December __, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this __ day of December, 2016.

Maureen Benson, City Clerk
City of Moorpark

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 re Adoption 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.

8.3 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 action 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 industrial 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 coterminous 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 within 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;

continued on page 6

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 unsuitable 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 LAFCA, and to all individuals or organizations who or which have indicated a desire for such Notice by requesting the same by placing his/hers 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, comprises 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.

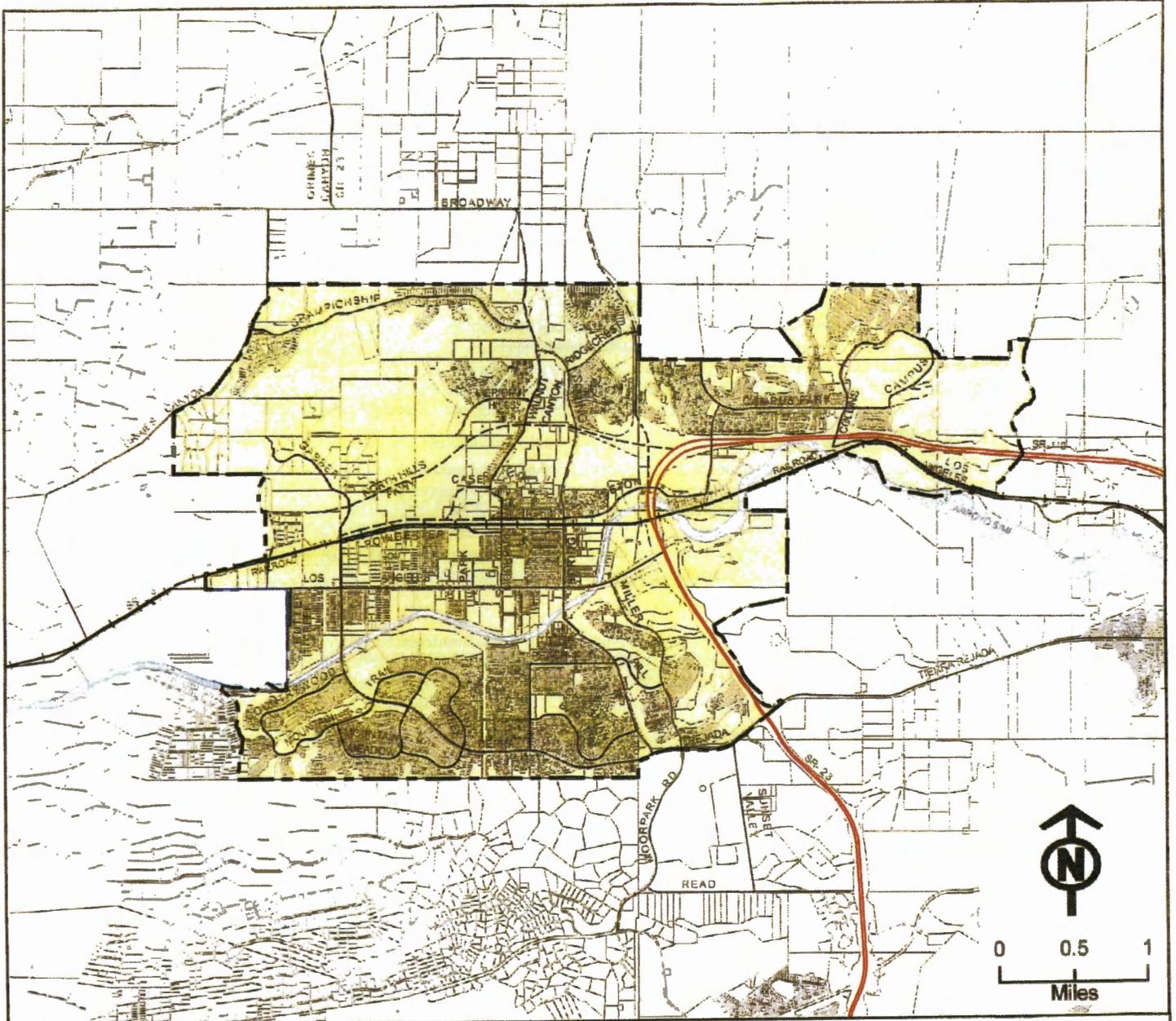
Section 6. Amendment or Repeal

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. Conflicting 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.

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.

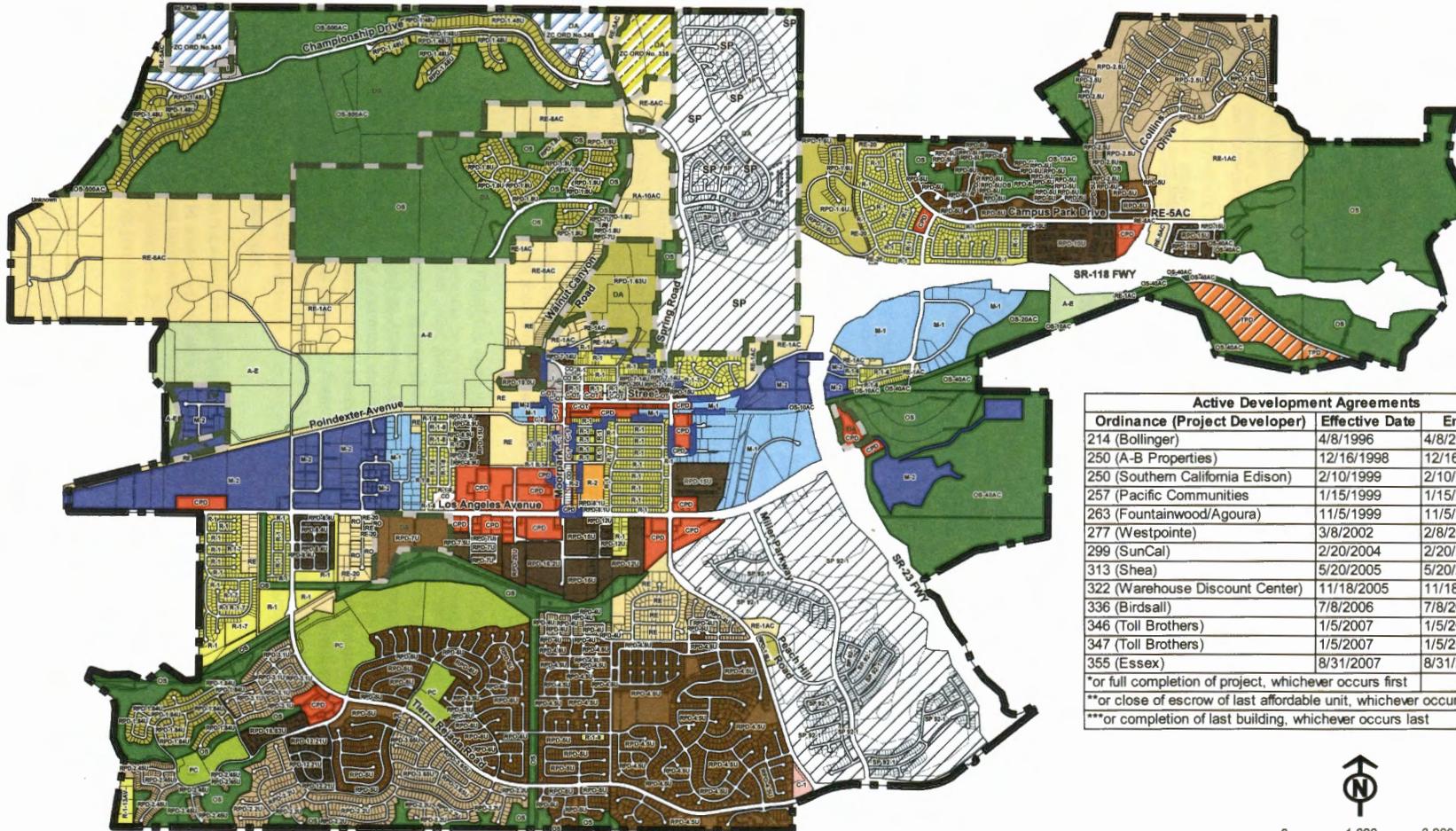


CC ATTACHMENT 3

City of Moorpark

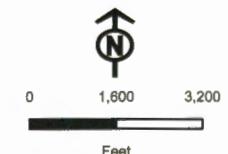


City of Moorpark - Zoning Map Exhibit B



Active Development Agreements		
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	Downtown Specific Plan	DA (Development Agreement Applicable)	Parcel Boundary
PC	R-1-6	RE-1AC	RPD-1.63U	RPD-3.65U	RPD-7U	RPD-12U	CO	I	City of Moorpark		
OS	R-1-7	RE-5AC	RPD-1.8U	RPD-4U	RPD-7-14U	RPD-12.21U	C-1	SP			
OS-10AC	R-1-8	RE-20	RPD-1.84U	RPD-4.5U	RPD-7.5U	RPD-15U	C-2	SP 92-1			
OS-20AC	R-1-9	RO	RPD-2.2U	RPD-4.6U	RPD-8.4U	RPD-16.2U	CPD	ZC ORD No. 335			
OS-40AC	R-1-13AV	R-2	RPD-2.45U	RPD-5U	RPD-8.9U	RPD-16.83U	C-OT	ZC ORD No. 345			
OS-500AC	RA-10AC	RPD-1.48U	RPD-2.5U	RPD-6U	RPD-9.1U	RPD-19.0U	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