

MOORPARK VOTE REJECTS SPRAWL, NOT ALL GROWTH

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By ROSEANN MIKOS

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Congratulations, people of Moorpark, I salute you. I am so proud of your efforts leading up to a historic victory Jan. 12 to pass Measure S (the Moorpark Save Open-space and Agricultural Resources measure) and defeat Measure T (the Hidden Creek Development Deal).

You stood up to the pressure, sorted through the fact and fiction, followed the money and voted for sensible growth for Moorpark.

Neither you nor I are anti-growth, as our anti-SOAR opponents tried to paint us. Rather, we are anti-sprawl. We voted decisively 2-1 to turn back urban sprawl so that Moorpark can become a more sustainable community, without losing what makes us unique, and without mortgaging our future unnecessarily. It's a great day for participatory democracy.

The common sense and intelligence of the Moorpark electorate is what won the election. By voting Yes on S and NO on T, you voted to make Moorpark follow its own general plan instead of allowing the City to violate it, as would have happened if we had voted otherwise.

Thank goodness the people of Moorpark did not fall for the mistaken logic presented by The Times in its Jan. 10 editorial recommending that people vote the opposite of what they did. It is clear that The Times does not really know how the public approval process for development projects is supposed to work. California law mandates that no ordinance can go into effect until 30 days after a city council finally votes to adopt it. This is to allow the public time to exercise its constitutional right of referendum.

The local electorate, through the referendum process, provides the check and balance that is sometimes, albeit infrequently, necessary to overturn a council decision that is not in the best interests of citizens. To exercise the right of referendum is part of the game. It does not stop the game after three quarters, as The Times suggested. Rather, it is playing the game out to its full conclusion, following all the rules—not just the rules that are convenient for some of the players (those who are richest and have the most money bet on the game's outcome).

The Times, and the majority of the Moorpark City Council last summer, seem to think that just because a company spends millions of dollars and many years to study and prepare a proposal, it is entitled to win its bid and be guaranteed to get the right to build whatever is wanted—even when the proposal does not conform to the city specifications for building on the land in question.

Did you know that, among other things, the the Moorpark General Plan specified that Hidden Creek Ranch have "grading...restricted on slopes greater than 20%?" So Messenger Co. presented a Hidden Creek plan for which over half of the grading would be on slopes of over 20%! That's against our general plan. The developer never showed Moorpark what kind of project it would be if they followed the specification they were given. No, they gave us a set of options that did not include what we asked for. And the City Council (except Patrick Hunter) said it was OK to do that by voting to approve the development deal.

If you hire an architect to draw up construction plans for you and you say "Give me a plan that has A, B, and C in it," you are entitled to a plan that conforms to what you requested. But we did not get that with the proposed Hidden Creek Plan. Moorpark citizens were smart to vote the deal down.

Our General Plan says: "The importance of open space resources is based on priorities established by the citizens of Moorpark." If this is really true (as it should be), then the City has an obligation to allow the citizens of Moorpark to vote for or against any project that will forever destroy large amounts of open space, like Hidden Creek would do, if it's ever built as originally proposed. So here again, allowing Hidden Creek without a vote of the people would be against our General Plan.

Did you know that Moorpark's managed growth ordinance expired in 1996 and has not been replaced? The Mitigation Monitoring Plan adopted as part of the 1992 general plan update says we were supposed to extend the ordinance or adopt a new one before specific plans like Hidden Creek could be approved. But our City did not do it. So, once again, if we had allowed Hidden Creek to go forward, we would not have been following our general plan.

Can you see why I decided to write the Moorpark SOAR measure to give you the right to vote on Hidden Creek and other projects in surrounding farm and open space areas? I hope so. I did it to try to ensure that we follow our general plan. I saw the hand-writing on the wall with the prospect of an 86% increase

in population (with Hidden Creek) instead of a more sensible 48% population increase before 2020 (without Hidden Creek)—if we did not do something to ensure that we followed our General Plan.

The Times said it would "defy common sense and fair play for the people of Moorpark to vote now to halt a project that has been in the works for nine years." The Times would have us believe that all development proposals are "done deals" once their developer proponents spend money to seek approval. If business worked that way, then all the losing bidders could cry foul every time they lose bids.

California planning law gives cities the right to fully deny projects like Hidden Creek, no matter how much money developers spend to try to gain approval. The majority of the City Council could have voted no on Hidden Creek last summer. Or they could have waited for the passage of the Moorpark SOAR and then let the people vote on Hidden Creek. If they had taken that more prudent course, would The Times say that defied common sense too? A vote of the people is the ultimate vote—more powerful than that of only three councilmembers. I submit to you that it defied common sense for the council to sidestep the will of the people last summer. And now the people have rectified that mistake.

Contrary to The Times assertion, the Messenger/Hidden Creek project never got started. It was not "in the works." Only a proposal was in the works—and it was a flawed proposal. It took the people of Moorpark to halt the flawed proposal—and they did, after the majority of the City Council refused to do so.

Because of the common sense and fair play of the people of Moorpark on Jan. 12, the Messenger/Hidden Creek conditional approval did not go into effect. This means there is no approval for the proposed plan, and the developer has no vested right to build according to that flawed plan.

Now, let's come together again to rebuild our trust in our elected officials. One hopes that the council won't forget again that it is the voters who hold the real power in Moorpark. When necessary—but only when necessary—we will exercise it.

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