

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

The city attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

### **Initiative Measure Requiring Voter Approval of Major Modifications to the Artesia Boulevard Corridor Specific Plan.**

This Measure would amend the Artesia General Plan 2030, the Artesia Boulevard Corridor Specific Plan, and the Artesia Municipal Code to require “major modifications” to the Artesia Boulevard Corridor Specific Plan to be approved by voters through a Specific Plan amendment. Currently, the Artesia Boulevard Corridor Specific Plan identifies four quadrants within the Specific Plan area and specifies whether a proposed particular land use is permitted, conditionally permitted, prohibited, or allowed as a temporary or accessory use in that quadrant. The Specific Plan also includes development standards for each type of use in each quadrant. The Specific Plan defines “major modifications” to refer to increases in density, increases in height, reductions in setback, or changes of use in a manner that are inconsistent with the intent of the Specific Plan. Currently, “major modifications” to the Specific Plan may be made by the City Council, after following State law for adopting specific plan amendments. This initiative would require voter approval for any “major modification” and would redefine “major modifications” within the Artesia Boulevard Corridor Specific Plan to include, but not be limited to, increases in density, increases in height, reductions in setbacks, changes of use in a manner that is inconsistent with the intent of the Specific Plan, and changes in the uses permitted by quadrant as identified in Table 2-2 of the Artesia Boulevard Corridor Specific Plan, as well as major modifications not expressly listed.

### **Notice of Intention to Circulate Petition**

Notice is hereby given by the person whose name appears hereon of their intention to circulate a petition within the City of Artesia for the purpose of amending the City of Artesia General Plan 2030, the Artesia Boulevard Corridor Specific Plan, and the City of Artesia Municipal Code to provide a better plan to protect existing local businesses, attract new retail and commercial development into the City, to retain existing jobs and create new job opportunities, and to help avoid the need to increase taxes on City residents and local businesses. A statement of the reasons for the petition is as follows:

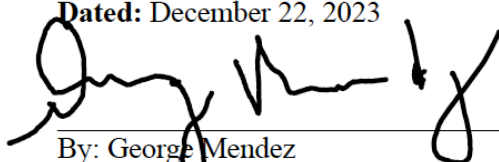
Since at least 2018, the City Manager and City Council have failed to balance the City’s expenses with existing revenues. To solve this problem, rather than reduce expenses and improve fiscal responsibility, the City Manager and City Council have announced their intent to raise the sales tax for consumer purchases at every business in the City to cover their budget deficit. At the same time, the City Manager and City Council are taking actions to eliminate development opportunities for new retail and commercial businesses, which would generate new sales tax revenues. Further, even though the City has a budget deficit and inadequate housing options, the City Manager and City Council are proposing to spend millions of dollars of City funds to take and destroy existing houses in the City.

The City Manager and City Council’s plan to solve their budget deficit is severely flawed for several reasons:

- Raising taxes in the City will only make it more difficult for people in Artesia who are struggling to make ends meet. Furthermore, raising the sales tax only in the City of Artesia will drive people to shop elsewhere, where costs will be lower, thereby hurting local businesses and actually shrinking the tax base.
- Eliminating development opportunities for new retail and commercial businesses would permanently harm the City’s ability to generate new tax revenues. The City is largely built out, with only limited areas remaining that can be developed or redeveloped with new retail, commercial, restaurant, and similar businesses. Besides creating local shopping and job opportunities, these types of businesses are the primary source of revenues for the City. Local businesses, not housing, pay for the City’s expenses and public services. Without local businesses, the City will never be able to generate sufficient revenue to cover the City budget.
- If allowed to proceed, the sales tax increase and the loss of local businesses and retail development opportunities will be permanent. However, unless the City Manager and City Council can manage the City budget more effectively, there is no guarantee that these measures will permanently solve the City’s ongoing budget deficit. The City Manager and City Council must show that they can properly manage the City’s finances before proposing any increase in sales taxes.

This petition is intended to address these problems. Specifically, this petition would ensure that City residents have control over the City’s key retail, commercial, and business centers. This petition will help protect the City’s ability to attract new retail development to build stores, restaurants, or other commercial enterprises on vacant or underutilized parcels along Artesia Boulevard, including the site of the former California Dairies plant. Attractive retail development at that site and others will generate increased sales taxes for the City thereby helping to eliminate the need to raise the sales tax. By doing so, this petition will strengthen City finances, expand the tax base, and generate new jobs that will help the local economy.

I, the undersigned, hereby request that the City Attorney prepare a ballot title and summary consistent with California Elections Code section 9203.

**Dated:** December 22, 2023  
  
By: George Mendez  
Proponent of This Petition, and  
City Resident and Voter

**Address:**  
11509 Dena Street  
Artesia, CA 90701

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**CITY OF ARTESIA NO NEW TAXES STRENGTHEN OUR ECONOMY INITIATIVE**

The People of the City of Artesia do ordain as follows:

**Section 1: Title**

This initiative measure will be known as the “City of Artesia No New Taxes Strengthen Our Economy Initiative.” It will sometimes be referred to as the “Initiative.”

**Section 2: Purpose and Effect**

The purpose of this Initiative is to provide a better plan to protect existing local businesses, attract new retail and commercial development into the City, to retain existing jobs and create new job opportunities, and to help avoid the need to increase taxes on City residents and local businesses.

**Section 3: Findings**

The voters of the City of Artesia find that this Initiative promotes the health, safety, welfare, and quality of life of the City’s residents based upon the following:

- (a) This measure is badly needed to help the people of Artesia cope with the ever-rising costs of living and to forestall a planned City tax increase.
- (b) Since at least 2018, the City Manager and City Council have failed to balance the City’s expenses with existing revenues. To solve this problem, rather than reduce expenses and improve fiscal responsibility, the City Manager and City Council have announced their intent to raise the sales tax for consumer purchases at every business in the City to cover their budget deficit. The residents of Artesia are already hurting from the high costs of housing, gasoline, and other necessities. Raising taxes will only make it more difficult for people in Artesia who are struggling to make ends meet. Furthermore, raising the sales tax only in the City of Artesia will drive people to shop elsewhere, where costs will be lower, thereby hurting local businesses and actually shrinking the tax base.
- (c) At the same time, the City Manager and City Council are supporting changes to City planning documents, including the Artesia General Plan 2030 and the Artesia Boulevard Corridor Specific Plan, that would harm the City’s ability to attract new retail and commercial development, and thereby increase the City’s reliance on new taxes to fund City government and public services.
- (d) Eliminating development opportunities for new retail and commercial businesses would permanently harm the City’s ability to generate new tax revenues. The City is largely built out, with only limited areas remaining that can be developed or redeveloped with new retail, commercial, restaurant, and similar businesses. Besides creating local shopping and job opportunities, these types of businesses are the primary source of revenues for the City. Local businesses, not housing, pay for the City’s expenses and public services. Without local businesses, the City will never be able to generate sufficient revenue to cover the City budget.
- (e) If allowed to proceed, the sales tax increase and the loss of local businesses and retail development opportunities will be permanent. However, unless the City Manager and City Council can manage the City budget more effectively, there is no guarantee that these measures will permanently solve the City’s ongoing budget deficit.
- (f) This Initiative is intended to address these problems. Specifically, this Initiative would ensure that City residents have control over the City’s key retail, commercial, and business center along Artesia Boulevard. This petition will help protect the City’s ability to attract new retail development to build stores, restaurants, or other commercial enterprises on vacant or underutilized parcels along Artesia Boulevard, including the site of the former California Dairies plant. Attractive retail development at that site and others will generate increased sales taxes for the City thereby helping to eliminate the need to raise the sales tax. By doing so, this Initiative will strengthen City finances, expand the tax base, and generate new jobs that will help the local economy.

**Section 4: Definitions**

As used in this Initiative:

*Filing Date:* The date the Notice of Intent to Circulate Petition for this Initiative was presented to the City.

*Initiative:* The City of Artesia No New Taxes Strengthen Our Economy Initiative placed upon the ballot and adopted by the voters of the City of Artesia.

**Section 5: General Plan Amendment**

This Initiative hereby amends the Artesia General Plan 2030 (“General Plan”) as described below. The General Plan amendments set forth in this Section 5 may be changed only by a vote of the people. Text to be amended in the General Plan is indicated as follows: deleted text is shown in ~~strikethrough~~ text, and new text is shown in underline text.

Page I-7 of the General Plan is amended to read:

<p><b>I. ADMINISTERING THE GENERAL PLAN</b></p> <p>The Artesia General Plan is a policy document that provides guidance for the City’s vision towards a sustainable urban area. The City Council adopts the Plan as the primary development guidance tool. Zoning Ordinances, Specific Plans, design guidelines, and other documents are designed to implement the General Plan. These documents, therefore, must be consistent with the General Plan (including both the required and optional Elements). In addition, all future programs and projects will seek policy guidance from the General Plan.</p> <p>The General Plan is intended to be a dynamic document. An annual review of the General Plan is required by the State of California to ensure that it remains relevant. The implementation program is derived from strategies and actions in the General Plan. This program will be reviewed annually as a means of completing the mandated Annual Report. The Implementation Program also includes a Mandated Mitigation Monitoring Program for tracking impact mitigations identified in the Environmental Impact Report.</p>
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Moreover, the General Plan may be amended to respond to changing community needs up to four times per year. Requests for amendments may be submitted by individuals or initiated by the City itself. Any proposed amendment will be reviewed by the Planning Commission and City Council to ensure that the change is in the public interest and would not be detrimental to the public health, safety, and welfare. Environmental review is also required for all General Plan Amendments.

As noted above and discussed elsewhere in this General Plan, Specific Plans are designed to implement the General Plan. One current Specific Plan, the Artesia Boulevard Corridor Specific Plan, has been specifically ratified and affirmed by City voters. Major modifications to the Artesia Boulevard Specific Plan, including but not limited to increases in density, increases in height, reductions in setbacks, changes of use in a manner that is inconsistent with the intent of the Specific Plan, and changes in the uses permitted by quadrant as specified in Table 2-2 of the Artesia Boulevard Corridor Specific Plan, shall require a Specific Plan amendment approved by a vote of the people.

Pages H-4 and H-5 of the General Plan are amended to read:

#### c. Specific Plans

Specific Plans are customized regulatory documents that provide focused guidance and regulations for a particular area to address the specific characteristics or needs for that area. They generally include a land use plan, circulation plan, infrastructure plan, zoning classifications, development standards, design guidelines, and implementation plan. The City has ~~three~~ the following approved Specific Plans listed below.

- Pioneer Specific Plan
- South Specific Plan
- Artesia Boulevard Industrial Area Specific Plan
- Artesia LIVE Specific Plan
- Artesia Boulevard Corridor Specific Plan
- Arkansas Street Specific Plan

The City is also currently drafting the Downtown Specific Plan.

The Artesia Boulevard Corridor Specific Plan has been specifically ratified and affirmed by City voters. Major modifications to the Artesia Boulevard Specific Plan, including but not limited to increases in density, increases in height, reductions in setbacks, changes of use in a manner that is inconsistent with the intent of the Specific Plan, and changes in the uses permitted by quadrant as specified in Table 2-2 of the Artesia Boulevard Corridor Specific Plan, shall require a Specific Plan amendment approved by a vote of the people.

#### **Section 6: Specific Plan Amendment**

This Initiative hereby amends the Artesia Boulevard Corridor Specific Plan (“Specific Plan”) as described below. The Specific Plan amendments set forth in this Section 6 may be changed only by a vote of the people. Text to be amended in the Specific Plan is indicated as follows: deleted text is shown in ~~strike through~~ text, and new text is shown in underline text.

Page 162 of the Specific Plan is amended to read:

#### 6.4.3 Major Modifications

Major modifications ~~constitute~~ include but are not limited to increases in density, increases in height, reductions in setbacks, ~~or~~ changes of use in a manner that is inconsistent with the intent of the Specific Plan, and changes in the uses permitted by quadrant as specified in Table 2-2. Major modifications shall require a Specific Plan amendment approved by a vote of the people.

#### **Section 7: Municipal Code Amendment**

This Initiative hereby amends the City of Artesia Municipal Code (“Municipal Code”) as described below. The Municipal Code amendments set forth in this Section 7 may be changed only by a vote of the people. Text to be amended in the Municipal Code is indicated as follows: deleted text is shown in ~~strike through~~ text, and new text is shown in underline text.

Section 9-2.3454 of the Municipal Code is amended to read:

#### **9-2.3454 Amendments to Specific Plans.**

Unless otherwise indicated in the applicable specific plan, all amendments to an adopted specific plan shall require Planning Commission review and recommendation and City Council review and approval in accordance with the procedures specified by law. (Ord. 666, § 12)

The Artesia Boulevard Corridor Specific Plan has been specifically ratified and affirmed by City voters. Major modifications to the Artesia Boulevard Specific Plan, including but not limited to increases in density, increases in height, reductions in setbacks, changes of use in a manner that is inconsistent with the intent of the Specific Plan, and changes in the uses permitted by quadrant as specified in Table 2-2 of the Artesia Boulevard Corridor Specific Plan, shall require a Specific Plan amendment approved by a vote of the people.

#### **Section 8. Effective Date.**

This Initiative shall be binding and effective as of the earliest date allowed by law (the “Effective Date”).

#### **Section 9. General Plan Designations as of the Filing Date.**

The City’s General Plan in effect on the Filing Date, as amended by this Initiative, comprises an integrated, internally consistent, and compatible statement of policies for the City of Artesia. In order to ensure that nothing in this Initiative measure would prevent the General Plan from being an integrated, internally consistent, and compatible statement of the policies of the City, as required by State law, and to ensure that the actions of the voters in enacting this Initiative are given effect, any amendment or update to the General Plan that is adopted between the Filing Date and the date that the General Plan is amended by this Initiative shall, to the extent that such interim-enacted provision is inconsistent with the General Plan amendments adopted by this Initiative, be amended as soon as possible to ensure consistency between the provisions adopted by this Initiative and other provisions of the General Plan.

#### **Section 10. Other City Plans, Ordinances, and Policies.**

The City of Artesia is hereby authorized and directed to amend the General Plan, the City Municipal Code (including its zoning ordinances), and any other City plans, ordinances and policies affected by this Initiative as soon as possible and periodically thereafter as necessary to ensure consistency between the provisions adopted in this Initiative and other sections of the City General Plan, Municipal Code and other City plans, ordinances and policies.

**Section 11. Reorganization.**

The General Plan may be reorganized or updated, or readopted in different format, and individual provisions may be renumbered or reordered, in the course of ongoing updates of the General Plan in accordance with the requirements of State law, provided that the provisions of Section 5 of this Initiative shall remain in the General Plan unless repealed or amended by vote of the people of the City of Artesia.

**Section 12. Construction.**

This Initiative shall be interpreted liberally to further its stated purpose. Nothing herein shall be construed to make illegal any lawful use being made of any land in accordance with City land use and zoning regulations in force before the effective date of this ordinance.

**Section 13. Conflicts with State and Federal Law.**

The provisions of this Initiative shall not apply to the extent that they would violate state or federal laws. This Initiative shall not be applied in a manner that would result in an unconstitutional taking of private property.

**Section 14. Relationship to Municipal Code.**

If any provision of this Initiative conflicts with other provisions contained in the City of Artesia Municipal Code, the provisions of this Initiative shall supersede any conflicting provision of the Municipal Code.

**Section 15. Consistency with Other Ballot Measures.**

If another ballot measure is placed on the same ballot as this Initiative and deals with the same subject matter, and if both measures pass, the voters intend that both measures shall be put into effect, except to the extent that specific provisions of the measures are in direct conflict. In the event of a direct conflict, the measure which obtained more votes will control the directly conflicting provisions only. The voters expressly declare this to be their intent, regardless of any contrary language in any other ballot measure.

**Section 16: Amendments.**

This Initiative may be amended or repealed only by City of Artesia voters. The City Council may make technical, non-substantive modifications to the provisions of this Initiative for clarity. However, such modifications or amendments must be fully consistent with the intent and purpose of this Initiative. The City Council may amend this Initiative to designate additional locations for new housing and to enhance the protection of downtown area parking areas, however, such amendments must be fully consistent with the purpose and intent of this Initiative.

**Section 17: Severability**

If any section, subsection, clause, phrase, part, word or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this Initiative. The voters hereby declare that this Initiative, and each section, subsection, sentence, clause, phrase, part, word or portion of this Initiative would have been adopted or passed even if one or more section, subsection, sentence, clause, phrase, part, word, or portion of this Initiative are declared invalid or unconstitutional. If any provision of this Initiative is declared invalid as applies to any person or circumstance, such invalidity shall not affect the application of this Initiative that can be given effect without the invalid application.

**Section 18. Judicial Enforcement.**

Any aggrieved person shall have the right to bring an action to enjoin any violation of this Initiative or to enforce the duties imposed on the City of Artesia by this Initiative. The proponents of this Initiative may defend the provisions of this Initiative in any litigation brought to challenge the Initiative.

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

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**OFFICIAL TOP FUNDERS. Valid only for January, 2024.**  
 Petition circulation paid for by the Committee in Support of the Artesia No New Taxes Strengthen Our Economy Initiative, Sponsored by National Ready Mixed Concrete Company  
 Committee major funding from:  
**National Ready Mixed Concrete Company**  
 Latest info: [www.artesiainitiative.com](http://www.artesiainitiative.com)

**NOTICE TO THE PUBLIC:**

**SIGN ONLY IF IT IS THE SAME MONTH SHOWN IN THE OFFICIAL TOP FUNDERS OR YOU SAW AN “OFFICIAL TOP FUNDERS” SHEET FOR THIS MONTH.**

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

**REGISTERED VOTERS ONLY**

				Official Use Only
1.	Print Your Name: _____  Sign As Registered To Vote: _____	Residence Address ONLY: _____  City: _____ Zip: _____		
2.	Print Your Name: _____  Sign As Registered To Vote: _____	Residence Address ONLY: _____  City: _____ Zip: _____		
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	13.	Print Your Name: _____  Sign As Registered To Vote: _____	Residence Address ONLY: _____  City: _____ Zip: _____	
	14.	Print Your Name: _____  Sign As Registered To Vote: _____	Residence Address ONLY: _____  City: _____ Zip: _____	
	15.	Print Your Name: _____  Sign As Registered To Vote: _____	Residence Address ONLY: _____  City: _____ Zip: _____	

**DECLARATION OF CIRCULATOR**

I, \_\_\_\_\_, am 18 years of age or older. My residence address is \_\_\_\_\_  
(address, city, state, zip). 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. All signatures on this document were obtained between the dates of \_\_\_\_\_ and \_\_\_\_\_  
(month/day/year) (month/day/year). I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I showed each signer a valid and unfalsified "Official Top Funders" sheet.

Executed on \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_.  
(month/day) (year) (place of signing)  
\_\_\_\_\_  
(complete signature indicating full name of circulator)