TO THE HONORABLE CITY CLERK OF THE CITY OF LOMA LINDA:

We, the undersigned, registered qualified voters of the City of Loma Linda, County of San Bernardino, hereby propose an initiative measure to amend the General Plan of the City of Loma Linda. We petition you to submit this initiative measure to the City Council of the City of Loma Linda for adoption without change, or for submission to the voters of Loma Linda at a general election unless signatures equal to or in excess of 15% of the registered voters of the City are submitted, in which case if the City Council does not immediately adopt this initiative measure without change, we petition you to submit this initiative measure to the voters at a special election called according to law.

THE FULL TEXT OF THE INITIATIVE MEASURE IS AS FOLLOWS:

The people of the City of Loma Linda do hereby ordain as follows:

SECTION I. PURPOSE AND FINDINGS

A. The unique character of the City of Loma Linda (the "City") as a quiet university town surrounded by open spaces, including undeveloped hills, and agricultural and citrus producing lands is cherished by its residents. Residents of Loma Linda perceive the City as a community of homes and businesses where grown children are eager to return to raise their families.

B. Uncontrolled high density urban development would permanently alter the character of the City and threaten the public health, safety, and welfare by causing increased traffic congestion, associated air pollution, noise, and higher crime rates. Costly expansion of public facilities and services, including police and fire services, would be required to meet the needs of a rapidly urbanizing community. This would create inevitable conflicts between urban and rural uses within the City and would permanently degrade the quality of life experienced by its residents.

C. The hillside areas within the City and its sphere of influence contribute to the community's health and welfare by providing open space, natural beauty, wildlife habitat, and recreational opportunities. Development of these critical hillside areas at no more than the maximum allowable densities set forth in this initiative measure will minimize the need for and costs of extension of City services such as sewer, water, streets, utilities, and emergency services. Limiting densities in the hillside areas will minimize the need for grading and land form alteration and contribute to the public heath, safety, and welfare by reducing the risks of landslides, fires, erosions, slope instabilities, floods, earthquakes, and related hazards which often occur when steep hillsides are developed at higher densities.

D. The Loma Linda General Plan is comprised of Resolution 105, which was adopted on September 11, 1973 and all amendments adopted through September 14, 2005 (the "Loma Linda General Plan"). The Loma Linda General Plan also includes an initiative measure (Ordinance 495) enacted by a vote of the people in 1993 to address hillside conservation issues and an amendment to that initiative measure which was adopted by a vote of the people in 1996 (Ordinance 541). Ordinance 541 is codified at Chapter 20.12 of the Loma Linda Municipal Code. Ordinances 495 and 541 are collectively referred to in this initiative measure as the "Hillside Conservation Amendments." This initiative measure is intended to support and expand the Hillside Conservation Amendments as growth management tools and to include areas of land

not previously subject to those provisions of law as well as to address other growth management related issues that affect urban development in the City.

E. The purpose and intent of this initiative measure is to amend the Loma Linda General Plan by the addition of a new growth management element designed to establish principles of managed growth that will preserve, enhance, and maintain the special quality of life valued by this community, including the protection of hillside areas, preservation of open space, and maintenance of safe, quiet residential areas so that future development within the City will occur in a way that promotes the social and economic well-being of the entire community.

F. This initiative measure is consistent with and furthers the explicit policy of the State of California set forth in California Government Code Section 51220 which reads in relevant part as follows:

> "...[T]he discouragement of premature and unnecessary conversion of agricultural land to urban uses is a matter of public interest and will be of benefit to urban dwellers themselves in that it will discourage discontiguous urban development patterns which unnecessarily increase the costs of community services to community residents."

> "... [I]n a rapidly urbanizing society agricultural lands have a definite public value as open space, and the preservation in agricultural production of such lands, the use of which may be limited under the provisions of this chapter, constitutes an important physical, social, esthetic and economic asset to existing or pending urban or metropolitan developments."

G. The maximum allowable densities set forth in this initiative measure for the City and for its hillside areas as designated in this initiative measure are reasonable and appropriate. These limitations and regulations relating to growth within the City are intended to provide for appropriate management of City resources and to reduce the risks of fires, landslides, and other geologic hazards.

H. If adopted, this initiative measure will continue to allow sufficient development of housing consistent with land designations and zoning within the City and its sphere of influence as they currently exist and as they are amended by this measure to meet the City's regional fair share housing obligations for the foreseeable future.

SECTION II. SUBSTANTIVE GENERAL PLAN AMENDMENT

A. ESTABLISHMENT OF NEW CHAPTER 2A, ENTITLED "GROWTH MANAGEMENT ELEMENT"

To achieve the purpose of this measure, the existing general plan enacted on September 11, 1973 by Resolution No. 105 as amended thereafter through September 14, 2005 (the "Loma Linda General Plan") is hereby amended by the addition of a new Chapter 2A reading in its entirety as follows:

"CHAPTER 2A: GROWTH MANAGEMENT ELEMENT

In order to achieve the goal of maintaining the unique quality of life in the City of Loma Linda and to assure the protection of natural hillsides, the preservation of open space, the

reduction of traffic congestion, and the maintenance of safe, quiet residential areas, the following principles of managed growth shall apply to all new development:

SECTION 1: SIX PRINCIPLES OF MANAGED GROWTH

A. PRINCIPLE ONE – New development within the planning area and sphere of influence of the City of Loma Linda shall conform to City development standards that promote environmentally sensitive development designed to preserve and enhance the quality of life now experienced in the City.

In order to assure that future development within the City of Loma Linda is limited so that it promotes the environmental, social and economic well-being of the entire community, the following standards shall apply to new development in all areas within the City and its sphere of influence:

1. Definitions

(a) Definition of Gross Land Area. Gross Land Area of developable land in any residential project is defined as the area remaining after deducting the area of any floodway easement, utility easement, and the area of the right-of-way of any bordering street.

(b) Residential Land Use Designations and Standards Defined. The following maximum allowable densities apply with regard to Gross Land Areas within the residential land use designations set forth below:

Land Use Designation	Maximum Allowable Density
Hillside Conservation	0 - 1 du / 10 acres*
Low Density Hillside Preservation	0 - 1 du / 10 acres**
Medium Density Hillside Preservation	0 - 1 du / 5 acres**
Rural Estates	0 - 1 du / acre
Very Low Density	0 - 2 dus / acre
Low Density	0 - 4 dus / acre
Medium Density	0 - 9 dus / acre
High Density	0 - 13 dus / acre
Very High Density	0 - 20 dus / acre
Senior Citizen Housing	0 - 25 dus /acre

Du=dwelling unit
* With potential bonus when the specified criteria of the Hillside Conservation Amendments are met.
** With potential bonus when the specified criteria of this Chapter 2A are met.

(c) Minimum Residential Lot Size. The minimum lot size for a single family

residence, regardless of density bonuses, shall not be less than seven thousand two hundred (7,200) square feet in any planning area or zone.

(d) Maximum Residential Building Height. The maximum residential building height shall not exceed thirty-five (35) feet.

(e) Avoidance of Environmentally Sensitive Areas. New development shall be sited so as to maximize the permanent preservation of large blocks of unbroken open space and to minimize the loss of habitat, wildlife, and watershed resources.

(f) Development to Respect Wildlife Habitats. Development projects are to be designed to protect habitat values and to preserve significant habitat areas and habitat connections in their natural condition:

i. Within habitat areas of rare, threatened or endangered species, disturbance of protected biotic resources is prohibited.

ii. Development shall avoid "canyon bottoms," which are defined as the land occurring within 200 feet of either side of a line referred to as a "blue line stream" as designated on a U.S. Geological Survey (USGS) map. Within riparian and wetland areas, the vegetative resources that contribute to habitat carrying capacity (vegetative diversity, faunal resting areas, foraging areas, and food sources) shall be preserved in place or replaced so as to not result in a measurable reduction in the reproductive capacity of sensitive biotic resources. Development shall not result in a net loss of wetlands.

iii. Buffer zones adjacent to areas of preserved biological resources shall be provided. Such buffer zones shall be adequate in width so as to protect biological resources from grading and construction activities, as well as from the long-term use of adjacent lands. The landscape design adjacent to areas of preserved biological resources shall be designed so as to avoid invasive species that could negatively impact the value of the preserved resource.

(g) Animal Uses Preserved. Within single family residential areas, existing entitlements for recreational, equestrian and animal uses shall be preserved.

(h) Alternative Infrastructure. Use of alternative infrastructure (e.g., septic systems, water systems, etc.,) may be permitted in areas where municipal systems feasibly cannot be extended in an economically feasible manner. The cost of either alternative infrastructure or the extension of municipal systems shall be the responsibility of the developer.

(i) San Timoteo Creek Area Designation. The San Timoteo Creek Area is depicted on Exhibit A to this Chapter 2A. Land area in the San Timoteo Creek Area shall not be re-designated for any use other than single family residential use and the maximum allowable density shall not exceed more than two (2) dwelling units per acre. Land in this area may only be re-designated for single family residential use at a maximum allowable density which shall not exceed two (2) dwelling units per acre upon approval by a four-fifths (4/5) vote of the total authorized membership of the City Council following a noticed public hearing. The boundaries of the San Timoteo Creek Area are described in Exhibit A1 to this Chapter 2A.

2. Development in the City's Planning Area and Sphere of Influence

Development within the planning area and within the sphere of influence of the City, and within all other areas outside the City for which City services are requested to be provided, shall conform to development standards within the City and shall be subject to the following policies:

(a) Residential Density Standards Shall be Retained. Neither the number of residential land use designations nor the maximum residential density standards set forth in this Chapter 2A shall be increased without a vote of the people.

(b) Development Agreements. All development agreements entered into by the City and any developer pursuant to California Government Code Sections 65864, et seq, shall conform to the policies contained in the Loma Linda General Plan, including without limitation this Chapter 2A, and the Loma Linda zoning ordinance.

(c) Annexation. No pre-annexation agreement shall be entered into by the City that conflicts with the Loma Linda General Plan and/or this Chapter 2A. Any property subject to a pre-annexation agreement or otherwise annexed to the City shall be designated and zoned to conform to the Loma Linda General Plan including this Chapter 2A, and any previous designation and zoning imposed by any other jurisdiction shall be null and void.

(d) Extension of Public Utilities Outside the City Limits. Extension of utility services shall mean the provision of any utility or public service to any parcel of land not subject to City metering, billing, taxation or other fee for service arrangement for such services. No extension, connection, or provision, either directly or indirectly through any other entity, of City-provided utility services to areas or parcels outside the City limits shall occur until such areas or parcels are properly annexed to the City, except that utility services may be extended, connected, or provided to areas or parcels outside the City limits without prior annexation if, and only if, all of the following conditions are met:

i. The area or parcel to be served is not contiguous to the City;

ii. The City and the landowner have entered into a properly recorded and binding pre-annexation agreement establishing covenants running with the land that assure full compliance with all development standards of the City, payment of all capital improvement and other development fees which would be applicable to the property if it were within the City limits at the time of extension, connection, or provision of such services, and immediate processing of annexation to the City at the City's request; and

iii. The landowner agrees as a condition of extension, connection, or provision of utility services or facilities to serve the proposed development to pay the full cost of such extension, connection, or provision of such utility services or facilities, including without limitation its proportionate share of the cost of developed infrastructure necessary for the extension, connection, or provision of such utility services.

3. **Development Fee Policy**

In accord with the provisions of California Government Code Sections 66000 et seq., all development projects as defined therein shall be required to pay development fees to cover 100% of their pro rata share of the cost of any public infrastructure, facilities, or services, including without limitation roads, sewer, utility, police and fire services, necessitated as a result of the approval of such development. The City Council shall set and determine development fees sufficient to cover 100% of their pro rata share of the estimated cost of such public infrastructure, facilities, and services based on appropriate cost-benefit analyses, as required by the provisions of California law.

B. PRINCIPLE TWO – The hillside areas of the City of Loma Linda, its planning area and its sphere of influence are important to the community and shall be preserved in as natural a state as possible consistent with the Hillside Conservation Amendments and the standards set forth in this Chapter 2A.

1. **Hillside Preservation Area Defined**

The Hillside Preservation Area is depicted on Exhibit A to this Chapter 2A. The boundaries of the Hillside Preservation Area are described in Exhibit A1 to this Chapter 2A.

2. **Hillside Conservation Area Defined**

The Hillside Conservation Area is described in the Hillside Conservation Ordinance (Ordinance 495) as amended by Ordinance 541, which is codified as Chapter 20.12 of the Loma Linda Municipal Code, and is described in Exhibit B of that Ordinance. The boundaries of the Hillside Conservation Area as depicted on Exhibit A to this Chapter 2A are intended to be consistent with Ordinance 541. In the event that any inconsistency should be found, the map set forth as Exhibit A to this Chapter 2A shall control over the map attached to Ordinance 541 as Exhibit A and the legal description attached to Ordinance 541 as Exhibit B.

3. **Expanded Hillside Area Defined**

The Expanded Hillside Area is depicted on Exhibit A to this Chapter 2A. The boundaries of the Expanded Hillside Area are described in Exhibit A1 to this Chapter 2A.

4. **Hillside Preservation Area, Hillside Conservation Area and Expanded Hillside Area Development**

(a) Permitted Development. The City shall only allow future development within the Hillside Preservation Area, the Hillside Conservation Area, and the Expanded Hillside Area which:

i. Protects the area's natural environment and sensitive environmental features, as well as public health and safety, maximizing the preservation of land in permanent public open space;

ii. Ensures that the design and layout of future hillside development adapts to the natural hillside topography; and

iii. Minimizes the need for and costs of providing infrastructure, utilities, and public services to all hillside areas.

(b) Ridgeline Setbacks. Development shall be set back from Primary Ridgelines 100 feet horizontally and 100 feet vertically. "Primary Ridgelines" include ridgelines having any of the following characteristics:

i. Ridges that have a difference in elevation of at least 200 feet from the toe of slope of the valley floor or the toe of slope of any canyon floor;

ii. Ridges which, prior to grading, are visible, or which would be visible but for man-made obstructions such as buildings or houses, from north of Barton Road, Interstate 10, or east of San Timoteo Canyon Road;

iii. Ridges that form a prominent landform in the foreground, a major skyline ridge in the background, or one of the layers of ridges that may be visible in between, or which would be visible but for man-made obstructions such as buildings or houses; or

iv. Ridges that frame major visual access when a person is traveling through the Hillside Preservation Area, the Hillside Conservation Area or the Expanded Hillside Area and will provide the first view of valley and canyon areas as a traveler emerges from the other side of the ridge.

(c) Commercial Uses Generally Prohibited. No commercial uses such as, but not limited to, retail stores, professional or medical buildings, offices, warehouses, construction or manufacturing businesses, and hotels, shall be allowed in the Hillside Preservation Area, the Expanded Hillside Area or the Hillside Conservation Area except that commercial animal and agricultural uses such as ranches, stables, grazing, citrus and avocado groves that existed as of the Effective Date of enactment of this Chapter 2A shall be allowed. Commercial recreational uses and associated uses may be allowed consistent with the protection of environmental values.

(d) Trails Master Plan Policies. The City shall develop a Trails Master Plan that identifies existing usable trails and potential future trails and open space areas in the Hillside Preservation Area, the Expanded Hillside Area, and the Hillside Conservation Area. Once a Trails Master Plan is adopted, the City shall encourage new development to be consistent with the Trails Master Plan. New development in the Hillside Preservation Area, the Expanded Hillside Area and the Hillside Conservation Area shall provide a trail system that will link with future dedicated trails. Sidewalks in development projects are not considered trails unless such sidewalks are suitably broad and equipped for equestrian use.

5. <u>Clustering Policies for Hillside Preservation Area</u>

(a) Clustering. Clustering requires development to be grouped in the more level and less environmentally sensitive portions of the Hillside Preservation Area, while steeper or more environmentally sensitive areas are preserved in a natural state. Clustering should facilitate the permanent protection of key natural features, such as, without limitation, steep slopes, biological habitats, recreational roads and trails, ridgelines, and scenic areas.

(b) Only Single Family Residences Permitted. Only single family residences shall be permitted in the Hillside Preservation Area.

(c) Dedication of Open Space. Where clustering is allowed, the remaining open space shall be preserved and deeded to the City and dedicated as permanent open space and/or conservation area or subject to a permanent conservation easement and shall be open to the public for non-commercial recreational uses consistent with environmental values. The City is prohibited from permitting any development inconsistent with non-commercial recreational uses or open space on such dedicated land without a vote of the people.

(d) No Clustering on Northerly Facing Slopes. In no event shall clustering be permitted on the northerly facing slopes which, prior to grading, are visible, or which would be visible but for man-made obstructions such as buildings or houses, from north of Barton Road, Interstate 10, or east of San Timoteo Canyon Road (the "Northerly Facing Slopes").

(e) No Commercial Recreational Development on Northernmost Northerly Facing Slopes. In no event shall commercial recreational development or associated development be permitted on the northernmost Northerly Facing Slopes.

(f) Urban Slope Line. The Urban Slope Line is depicted on Exhibit A to this Chapter 2A. This line is intended to correspond to the toe of slope of the hillside. If there is a discrepancy between the Urban Slope Line as depicted on Exhibit A and the toe of a slope for a particular parcel as determined by a registered civil engineer or surveyor, the line which is farther north is the line which shall be used for purposes of determining the Cluster Area boundary line for that particular parcel.

(g) Cluster Areas. The following are general descriptions of the only areas where clustered housing is allowed:

i. Cluster Area A, with 2 ½-acre minimum lot size: south of Beaumont Avenue and the southern boundary of the railroad, north of the Urban Slope Line, east of Bryn Mawr Avenue, and west of Nevada Street.

ii. Cluster Area B, with 1-acre minimum lot size: south of the eastern boundary of Loma Linda's Sphere of Influence, north of the Urban Slope Line, east of Nevada Street, and west of the eastern boundary of Loma Linda's Sphere of Influence.

iii. Cluster Area C, with ½-acre minimum lot size: with the exception of the Northerly Facing Slopes, south of the ridgelines of the northernmost Northerly Facing Slopes.

6. Density Bonus Policies for Developments in Hillside Preservation Area

A density bonus is allowed only where clustering of dwelling units and additional public benefits, such as preservation of open space, are provided. In no event shall more than one density bonus be allowed for any particular project.

(a) Criteria for Allowing a Density Bonus.

Where all of the following criteria are met, a density bonus as provided in Section 6(b) may be permitted:

i. No dwelling unit or related structure or commercial recreational development or associated development is located on the northernmost Northerly Facing Slopes;

ii. The project is clustered except for in no event shall clustering be permitted on any Northerly Facing Slopes;

iii. In no event shall a lot size less than 2 1/2 acres be permitted in Cluster Area A;

iv. In no event shall a lot size less than 1 acre be permitted in Cluster Area B;

v. In no event shall a lot size less than ½ acre be permitted in Cluster Area C;

vi. In no event shall densities or density bonuses be transferred from parcels south of the northernmost ridgelines to land north of the northernmost ridgelines;

vii. All development infrastructure, including roads, and utility and service extensions, is kept off of the Northerly Facing Slopes to the fullest extent possible;

viii. The need for extensions of streets and other utilities and services is minimized;

ix. The remaining open space created through clustering, including without limitation, significant natural areas, view areas, and habitats, is preserved and deeded to the City and dedicated as permanent open space and/or conservation area;

x. Provision is made for riding and hiking trails; and

xi. The land is not located within the area depicted as Rural Estates on Exhibit A to this Chapter 2A.

(b) Extent of Density Bonus Allowed Where All Criteria Are Met.

Where all of the criteria set forth in Section 6(a) above are met, the City may grant a density bonus as follows:

i. In the Low Density Hillside Preservation Area, one unit per 10 acres is allowed, subject to a density bonus of up to one dwelling unit per 5 acres; and

ii. In the Medium Density Hillside Preservation Area, one unit per 5 acres is allowed, subject to a density bonus of up to one dwelling unit per 2.5 acres.

(c) Alternative Density Bonus Standard.

In lieu of the above density bonuses, the City may grant a density bonus of up to 1.5 dwelling units per 5 acres in the Low Density Hillside Preservation Area, and a density bonus of up to 1.5 dwelling units per 2.5 acres in the Medium Density Hillside Preservation Area, where all of the following criteria are met:

i. All of the criteria set forth in Section 6(a) above; and

ii. The densities and resulting density bonuses are transferred to land south of the northernmost ridgelines from parcels any portion of which is north of the northernmost ridgelines.

(d) Transfer of Densities. Transferring densities from land north of the northernmost ridgelines to south of those ridgelines shall be encouraged.

(e) The City May Refuse to Allow a Density Bonus. The City may refuse to allow a density bonus for reasons that include, but are not limited to the public health, safety, and welfare, environmental concerns, protection of view sheds, habitat preservation, maintenance of recreational trails, or any other rational basis consistent with the goals of the Loma Linda General Plan, the Trails Master Plan, and this Chapter 2A.

7. <u>Grading Policies for Hillside Preservation Area</u>

(a) Focused Grading Allowed. Focused Grading is defined as the minimum grading required for access roads, the grading necessary for the extension of City services, and/or the grading of no more than the size of the footprint of the house and ancillary structures on each individual lot, with each such footprint and ancillary structures separated from each adjacent lot by ungraded, natural terrain. Mass Grading is defined as any grading that does not meet the definition of Focused Grading.

(b) Mass Grading Prohibited. Mass Grading on any Primary Ridgeline or any Northerly Facing Slope is prohibited.

(c) Slope Conforming Foundations Required. Development shall preserve natural scenic vistas where the natural slope is fifteen (15) percent or greater by requiring building foundations for structures to conform to the natural slope to minimize grading and other environmental impacts and to ensure that roof lines do not eliminate or obstruct ridgelines.

8. <u>Limitation of Traffic Impacts</u>

Roads through the Hillside Conservation Area and/or the Hillside Preservation Area and/or the Expanded Hillside Area from Reche Canyon Road or San Timoteo Canyon Road to roads north of the Hillside Conservation Area or the Hillside Preservation Area or the Expanded Hillside Area shall be restricted to use by emergency vehicles only. Otherwise, no existing or future roads shall be connected to Reche Canyon Road or San Timoteo Canyon Road, or to each other by roads through the Hillside Conservation Area or the Hillside Preservation Area or the Expanded Hillside Area. Examples of existing roads which these restrictions apply to, include, but are not limited to, Anderson Way, Allen Way, Carrol Court, Loma Linda Drive, Welebir Street, Almond Court, Pecan Way, Crestview Drive, Richardson Street, Sierra Vista Drive, Oakwood Drive, Bryn Mawr Avenue, Whittier Avenue, Wellesley Avenue, Beaumont Avenue and roads extending to the south of Beaumont Avenue, Lawton Avenue and roads extending to the south of Lawton Avenue, and Mountain View Avenue. A road which connects to Beaumont Avenue in two different locations may be allowed, so long as it does not connect to other existing roads.

9. <u>Roads in Hillside Conservation Area, Expanded Hillside Area, and Hillside Preservation Area</u>

Construction of roads in the Hillside Conservation Area, the Expanded Hillside Area, and the Hillside Preservation Area must minimize grading and be consistent with environmental concerns, view sheds, habitat preservation, wildlife corridor preservation, recreational trails, landslide avoidance, and other factors related to the public health, safety, and welfare.

The Hillside Preservation Area, the Hillside Conservation Area, and the Expanded Hillside Area shall be developed with the minimum number of roads possible, with clustering of development strongly encouraged to minimize the need for access roads. The purpose of limitations on through roads is to minimize the adverse impacts of through traffic and the environmental damage that is often caused by road construction. All roads in the Hillside Preservation Area, the Hillside Conservation Area, and the Expanded Hillside Area should be designed to fit the hilly terrain by following contour lines, using minimum pavement widths, relaxed curve and other standards, and slow speeds.

C. PRINCIPLE THREE – New developments shall be planned and constructed in a manner that preserves natural scenic vistas and protects against intrusion on the view shed areas.

1. <u>Preservation of Vistas</u>

New development shall only be approved if it preserves scenic vistas of natural hillside areas and ridgelines, which, prior to grading, are visible, or which would be visible but for man-made obstructions such as buildings or houses, from north of Barton Road, Interstate 10, or east of San Timoteo Canyon Road.

2. <u>Minimization of View Shed Intrusion</u>

New development shall only be approved if it minimizes wall surfaces facing towards view shed areas through the use of split pads, varying setbacks, low roof pitches, and landscaping.

3. <u>Architectural Compatibility</u>

New development shall only be approved if it uses architectural style which is compatible with the natural setting. The use of colors, textures, materials, and forms which will attract attention shall be avoided.

4. <u>Massing and Scale</u>

The overall scale and massing of structures shall respect the natural surroundings by incorporating designs which minimize bulk and mass, and minimize visual intrusion on the natural landscape. Structures shall be sited to best fit with a hillside's natural contours in hillside areas.

D. PRINCIPLE FOUR – Preservation of open space and agricultural land areas is a priority in the City of Loma Linda, its planning area and its sphere of influence, and dedication of open space in perpetuity shall be a requirement for certain development as well as for the City.

1. <u>City-owned Land</u>

The City-owned land in the Hillside Conservation Area, the Expanded Hillside Area, and the Hillside Preservation Area (approximately 850 acres) is designated open space with no development of any type allowable except as provided in this Chapter 2A. The City shall not sell, rent, lease, or otherwise confer any right or title to land in the Hillside Conservation Area, the Expanded Hillside Area or the Hillside Preservation Area to which the City holds title without a vote of the people. The sole exception to this restriction is that the City-owned land southwest of the San Jacinto Fault Line (approximately 350 acres) may be traded for other land inside the Hillside Conservation Area and/or the Hillside Preservation Area and/or the Expanded Hillside Area so long as the land received is preserved and deeded to the City and dedicated as permanent open space and/or conservation area. Land southwest of the San Jacinto Fault Line that is traded by the City may be re-designated for use other than open space after it is traded. Land may be traded only to preserve open space and to reduce densities in other, more highly valued hillside areas, and for no other purposes. The City shall not approve a trade of land unless all of the following conditions are met: (1) Mountain View Avenue shall not connect to future development in the traded land, (2) All roads connecting to future development in the traded land shall not extend farther east than Mountain View Avenue, and (3) The only roads which may connect to future development in the traded land are Oakwood Drive or roads connecting to Reche Canyon Road.

City-owned land in the Hillside Conservation Area, the Hillside Preservation Area, and the Expanded Hillside Area shall be open to public non-commercial recreational uses consistent with the protection of environmental values. Public non-commercial recreational amenities, such as, but not limited to, parks, trails, and tennis courts may be allowed on City-owned land.

2. <u>Planned Residential Developments and Planned Communities</u>

Planned Residential Developments and Planned Communities shall meet one of the following open space standards as described below:

(a) Properties under Fifteen Percent Slope. Not less than twenty percent of the gross land area shall be held in common as landscaped, recreational open space. Such open space shall contain a minimum dimension of fifty square feet, and be accessible to each lot through a system of public or private walkways. Open space areas may include swimming pools, putting greens, court games, and other recreational leisure facilities, as well as landscaped areas or areas with native vegetation. Such areas shall be identified as permanent open space on the final tract map. Open space calculations shall not include buildings, private patios, balconies, driveways, and off-street parking areas.

(b) Properties with an Average Slope of Fifteen Percent or More. Not less than twenty-five percent of the gross land area shall be held in common open space. Such open space shall contain a minimum dimension of twenty-five square feet, and be accessible to each lot through a system of public or private walkways. Open space areas may include natural undeveloped areas of land, swimming pools, putting greens, court games, and other recreational leisure facilities, as well as landscaped areas or areas with native vegetation. Such areas shall be identified as permanent open space on the final tract map. Open space calculations shall not include buildings, private patios, balconies, driveways, and off-street parking areas.

(c) Preservation of Citrus Groves. The City recognizes the desire to maintain citrus and avocado groves and other agricultural uses as a means to provide open space, to provide and maintain a balanced economy, and to maintain green space and vegetation that will consume

carbon dioxide and improve air quality. The open space requirement of paragraphs (a) and (b) of this section may be met by preserving citrus and/or avocado groves or other agricultural uses determined appropriate by the City Council, and assuring ongoing maintenance through a conservation easement or other legal mechanism, provided that the minimum percentage open space requirement of (a) and (b) are met.

(d) Common Open Space. Common open space may include areas held in common by associations where the perpetual open space is guaranteed by acceptable legal mechanisms including public and private easements and conservation easements and other open space conditions, restrictions and covenants guaranteed in perpetuity by similar mechanisms. If an applicant proposes to dedicate a portion of a site as public park lands, this area may be considered as common open space by the affirmative vote of a majority of the City Council.

(e) Maintenance of Common Open Space. Maintenance of common open space areas within Planned Residential Developments and Planned Communities shall be the responsibility of the developer and the residents. In no event shall the City be responsible for such maintenance.

E. PRINCIPLE FIVE - Water quality and availability are critical to the current and future residents of the City of Loma Linda, its planning area and its sphere of influence. No new development shall be approved that endangers the quality or quantity of water delivered to households within the City.

No development project shall be approved which would cause the quality of water delivered to Loma Linda households to fail to meet State and/or Federal water quality standards, or which would cause an increase in residential rates, or which would result in a restriction of water usage, except for those projects exempt under State and/or Federal law.

F. PRINCIPLE SIX – Traffic levels of service throughout the City of Loma Linda shall be maintained at current levels and new development shall be required to fully mitigate any impact on traffic resulting from that development.

Limitations on traffic levels of service are essential to managing growth within the City by preventing undue urbanization and its attendant urban blight, the degradation of public services, and the over-intensive development of land.

1. <u>Traffic Levels of Service Defined</u>

Level of service (LOS) is a qualitative measure of traffic service along a roadway or at an intersection. LOS ranges from A to F, with LOS A being best and LOS F being worst. LOS A, B and C indicate conditions where traffic can move relatively freely. LOS D describes conditions where delay is more noticeable and average travel speeds are as low as 40 percent of the free flow speed. LOS E indicates significant delays and average travel speeds of one-third the free flow speed or lower where traffic volumes are generally at or close to capacity. Finally, LOS F characterizes flow at very slow speeds (stop-and-go), and large delays (over a minute) with queuing at signalized intersections; in effect, the traffic demand on the roadway exceeds the roadway's capacity. Levels of Service are defined according to the following table:

Level of Service	Description	Volume to Capacity Ratio: Freeway Segments	Street Segments
LOS A	Conditions of free flow; speed is controlled by driver's desires, speed limits, or physical roadway conditions.	0 to 0.30	0 to 0.60
LOS B	Conditions of stable flow; operating speeds begin to be restricted; little or no restrictions on maneuverability from other vehicles.	0.31 to 0.49	0.61 to 0.70
LOS C	Conditions of stable flow; speeds and maneuverability more closely restricted; occasional backups behind left-turning vehicles at intersections.	0.50 to 0.71	0.71 to 0.80
LOS D	Conditions approach unstable flow; tolerable speeds can be maintained but temporary restrictions may cause extensive delays; little freedom to maneuver; comfort and convenience low; at intersection, some motorists, especially those making left turns, may wait through one or more signal changes.	0.72 to 0.88	0.81 to 0.90
LOS E	Conditions approach capacity; unstable flow with stoppages of momentary duration; maneuverability severely limited.	0.89 to 1.00	0.91 to 1.00
LOS F	Forced flow conditions; stoppages for long periods; low operating speeds.	>1.00	>1.00

Sources: Transportation Research Board, Highway Capacity Manual, 1994. DKS Associates.

2. **Levels of Traffic Service Throughout the City Shall Be Maintained**

To assure the adequacy of various public services and to prevent degradation of the quality of life experienced by the residents of Loma Linda, all new development projects shall assure by implementation of appropriate mitigation measures that, at a minimum, traffic levels of service (LOS) are maintained at a minimum of LOS C throughout the City, except where the current level of service is lower than LOS C. In any location where the level of service is below LOS C at the time an application for a development project is submitted, mitigation measures shall be imposed on that development project to assure, at a minimum, that the level of traffic service is maintained at levels of service that are no worse than those existing at the time an application for development is filed. In any location where the Level of Service is LOS F at the time an application for a development project is submitted, mitigation measures shall be imposed on that development project to assure, at a minimum, that the volume to capacity ratio is maintained at a volume to capacity ratio that is no worse than that existing at the time an application for development is filed. Projects where sufficient mitigation to achieve the above stated objectives is infeasible shall not be approved unless and until the necessary mitigation measures are identified and implemented.

SECTION 2: EXEMPTIONS

The following categories of development shall be exempt from certain restrictions of the Principles of Managed Growth set forth in this Chapter 2A, as specified herein.

A. Vested Projects. This Chapter 2A shall not apply to or affect any property on which a vested right has been legally perfected and acquired pursuant to state law prior to the Effective Date.

B. Certain Non-Profit Entities. Development projects that directly further the primary institutional purposes of Loma Linda University Adventist Health Sciences Center and/or related entities or subsidiaries are exempt from the traffic level of service requirements except as to those related to the Hillside Preservation Area, the Hillside Conservation Area and the Expanded Hillside Area, the building height requirements, and the maximum allowable residential densities except for those set forth for the Hillside Conservation Area and the Hillside Preservation Area, so long as such development projects are either 1) non-residential in character, or 2) provide only student and/or staff housing for those exempt entities. In no event shall such entities be exempt from the standards established in Principle Two of this Chapter 2A.

C. Infill Construction. New infill construction of individual single family homes on existing lots of record that are smaller than 5 acres, and bounded on three sides by developed property as of the Effective Date of this Chapter 2A, are exempt from the traffic level of service requirements.

D. Remodeling, Rehabilitation and Additions. Rehabilitation, remodeling or additions to existing single family residential structures are exempt from the traffic level of service requirements.

E. Reconstruction and Replacement. Reconstruction or replacement of any uses to the same density, intensity and classification of use as existed on the Effective Date of this Chapter 2A, including legal non-conforming uses, are exempt from the traffic level of service requirements.

F. Temporary Uses. Special, temporary, or occasional uses of public streets, including parades, local sporting and cultural events, graduation ceremonies, approved school activities, religious gatherings, and other occasional public gatherings, are exempt from the traffic level of service requirements."

SECTION III. GENERAL PLAN INTERNAL TEXT AMENDMENTS

To achieve the purpose of this initiative measure and to address its findings, the text of the existing general plan as adopted by the Loma Linda City Council on September 11, 1973, and as amended through September 14, 2005 (the "Loma Linda General Plan") is further amended to assure internal consistency as required by California law. Text additions are shown in underline and deletions in ~~strikethrough~~.

A. GOALS AND POLICIES

Chapter Two of the Loma Linda General Plan as amended by Ordinance 541 entitled "Goals and Policies" is hereby amended as follows:

Pages 7 to 8 Policy 6 is hereby amended as follows:

"6. The citizens of Loma Linda will have available a choice of areas of varying densities and housing of ranging costs. The General Plan has provided for the following residential ~~gross densities~~ land use designations throughout the community:

(a) Hillside Conservation, zero to one dwelling unit per 10 acres, with a potential bonus up to one dwelling unit per 5 acres when the specified criteria of the Hillside Conservation designation are met.

(b) Low Density Hillside Preservation, zero to one dwelling unit per 10 acres, with a potential bonus when the specified criteria of Chapter 2A, Growth Management Element, are met.

(c) Medium Density Hillside Preservation, zero to one dwelling unit per 5 acres, with a potential bonus when the specified criteria of Chapter 2A, Growth Management Element, are met.

(d) Rural Estates, zero to one dwelling unit per acre.

~~(b)~~(e) Very Low Density, ~~one-tenth~~ zero to two dwelling units per acre.

~~(c)~~(f) Low density, ~~one~~ zero to four dwelling units per acre.

~~(d)~~(g) Medium density, ~~five~~ zero to ~~10~~ nine dwelling units per acre.

~~(e)~~(h) High density, ~~11~~ zero to ~~20~~ 13 dwelling units per acre.

(i) Very High Density, zero to 20 dwelling units per acre.

(j) Senior Citizen Housing, zero to 25 dwelling units per acre."

B. PLANNING ELEMENTS

Chapter Three of the Loma Linda General Plan entitled "Planning Elements" is hereby amended as follows:

Page 10 The opening paragraph of Planning Elements is hereby amended as follows:

"The comprehensive General Plan consists of a number of parts called elements. This approach provides for a systematic analysis of the community's planning functions. It must be constantly remembered, however, that all of the elements are intricately woven together, and a significant change in one could ~~effect~~ affect them all. Chapter 2A, "Growth Management Element" augments and updates the provisions of this Planning Element with regard to land use densities, planned residential developments and communities, circulation, housing, conservation and open space provisions. To the extent that any inconsistency exists, the provisions of Chapter 2A control. Any provision of this element that is inconsistent with any provision of Chapter 2A is null and void."

C. LAND USE ELEMENT

1. Chapter Three of the Loma Linda General Plan entitled "Land Use Element" is hereby amended as follows:

Page 10 The opening paragraph of the Land Use Element is hereby amended as follows:

"Public and private uses of land constitute a major ingredient of the General Plan to form an instrument of public policy decision-making. It is in the land use element that the goals and policies previously determined and agreed to, find their greatest fulfillment. Chapter 2A, "Growth Management Element" augments and updates the provisions of this Land Use Element with regard to land use densities, planned residential development and communities, hillside conservation, traffic, circulation and open space provisions both within the City and within its planning areas and sphere of influence. To the extent that any inconsistency exists between this Land Use Element and the provisions of Chapter 2A, the provisions of Chapter 2A control. Any provision of this element that is inconsistent with any provision of Chapter 2A is therefore null and void."

Page 10 The first three sentences in the Section entitled "Residential-Low Density" are hereby amended as follows:

"Residential neighborhoods in Loma Linda's General Plan are comprised of ~~three~~ ten densities of families – Hillside Conservation, Low Density Hillside Preservation, Medium Density Hillside Preservation, Rural Estates, Very Low Density, low Density,

medium Density, ~~and~~ high Density, Very High Density, and Senior Citizen Housing. These densities are expressed on a ~~gross~~ basis~~, i.e., an inclusion of streets, easements and other non-residential uses customarily found in residential neighborhoods~~ consistent with Chapter 2A, Growth Management Element. Low density has a range of from ~~1~~ 0 - 4 dwelling units per acre."

Page 11 The first sentence in the Section entitled "Residential-Medium Density" is hereby amended as follows:

"Medium density residential areas range from ~~5~~ 0 to ~~10~~ 9 dwelling units per acre."

Page 12 The first sentence of the sixth paragraph in the Section entitled "Residential-High Density" is hereby amended as follows:

"High Density residential ~~density~~ land usage is intended to have residential densities of ~~11~~ 0 to ~~20~~ 13 dwelling units per acre and rise no higher than three stories."

Pages 12 to 13 The following language is hereby deleted from the Land Use Element of the Loma Linda General Plan:

~~Estimated Population~~
~~Based on the gross densities in the residential density categories above, it was possible to calculate the estimated number of dwelling units and population when the several areas are completely built up. No estimations were made when such a saturation would occur.~~

~~DWELLING UNIT AND POPULATION PROJECTIONS~~

		~~Low Density~~		~~Medium Density~~		~~High Density~~
		~~4 D.U.'s/Acre~~		~~5 to 10 D.U.'s/ Acre~~		~~11 to 20 D.U.'s/ Acre~~
~~Gross Acreage~~		~~1648 x .85 = 1401~~		~~451 x .85 = 383~~		~~170 x .85 = 1455~~
~~Dwelling Units~~		~~5603~~		~~1917 to 3834~~		~~1590 to 2890~~
~~Population~~		~~5603 x 3.0 = 16,810~~		~~1917 x 2.2 = 4217~~ ~~3834 x 2.0 = 7667~~		~~1590 x 2.0 = 3179~~ ~~2890 x 2.0 = 5780~~

~~The population estimates of the General Plan based on the above table showed a holding capacity of between 24,200 and 30,200 people.~~
~~Density was calculated in three categories. Low density was figured at an assumed 4 dwelling units per gross acre; medium density at a range of from 5 to 10 dwelling units per gross acre; high density at a range of from 11 to 20 dwelling units per gross acre. Gross acreage consists of land used for streets and other non-residential purposes such as churches, public and quasi-public facilities normally found in residential neighborhoods.~~

~~Since not every parcel of land will be built upon, or used for residential purposes in residentially designated areas, the total available acreage for residential development was adjusted to 85 percent of available land.~~

~~For purposes of calculating the number of people living in each dwelling unit, the following was assumed:~~

~~Low density — 3.0 persons per dwelling unit~~

~~Medium density — 2.20 persons per dwelling unit at 5 dwelling units per gross acre; 2.0 persons per dwelling unit at 12 dwelling units per gross acre;~~

~~High density — 2.0 persons per dwelling unit~~

Page 22 The following chart is hereby deleted from the Land Use Element of the Loma Linda General Plan:

~~LAND USE~~

~~LAND USE CATEGORY~~		~~GROSS ACRES~~		~~% OF TOTAL~~
~~Residential~~				
~~Low Density~~		~~1648~~		~~31.0~~
~~Medium Density~~		~~451~~		~~8.5~~
~~High Density~~		~~170~~		~~3.2~~
~~Commercial~~				
~~Neighborhood Community Specialized~~		~~155~~		~~2.9~~
~~Office Professional~~		~~42~~		~~0.7~~
~~Industrial~~				
~~Light Industrial~~		~~42~~		~~0.8~~
~~Institutional~~				
~~VA~~		~~37~~		~~0.7~~
~~University~~		~~302~~		~~5.7~~
~~Academy~~		~~15~~		~~0.3~~
~~Schools~~		~~50~~		~~0.9~~
~~Parks~~		~~72~~		~~1.4~~
~~Conservation~~		~~2153~~		~~40.5~~
~~Civic Center~~		~~7~~		~~0.1~~
~~Freeway~~		~~55~~		~~1.0~~

~~Railroad~~		~~48~~		~~0.9~~
~~Flood Control~~		~~50~~		~~0.9~~
~~Gage Canal~~		~~16~~		~~0.3~~
~~Total~~		~~5,313~~		~~99.8~~
~~OTHER LAND USES AREAS~~		~~GROSS ACRES~~		
~~RECHE CANYON~~				
~~Low Density Res.~~		~~177~~		
~~SAN BERNARDINO~~				
~~Mixed Uses~~		~~200~~		
~~REDLANDS~~				
~~Low Density Res.~~		~~93~~		
~~High Density Res.~~		~~67~~		
~~Urban Reserve~~		~~88~~		

2. The following resolutions amending the Land Use Element of the Loma Linda General Plan are hereby repealed:

(a) Resolution 2023, adopted on April 21, 1998, and the map attached to the Resolution.

(b) Resolution 1744, adopted on April 13, 1993, and the map attached to the Resolution.

(c) Resolution 584, adopted on August 26, 1980, and the map attached to the Resolution.

D. CIRCULATION ELEMENT

The 1973 version of the Loma Linda General Plan contained a circulation element (the "1973 Circulation Element"). In November of 1989, a new Circulation Element was adopted by the City, replacing and superseding the provisions set forth in the 1973 version of the Circulation Element (the "1989 Circulation Element"). In 1996, the adoption of Ordinance 541 added further amendments to the circulation element, but referenced the 1973 Circulation Element rather than the 1989 Circulation Element (collectively, the "Circulation Element"). In order to clarify the status of the 1973 and 1989 Circulation Element amendments made by this initiative, amendments below are referenced to each version of the Circulation Element as noted.

Page 1 The opening paragraph of the 1989 Circulation Element is hereby amended by the addition of the following paragraph to the beginning of the Introduction to read as follows:

"The Circulation Element provides the transportation backbone for the City of Loma Linda, its planning area and its sphere of influence. The plan identifies highways which will carry volumes of traffic that are far heavier than those intended for local streets. It is vital to the future growth of the community that these streets be constructed as development occurs so that congestion and strangulation of traffic movements are prevented. Chapter 2A, "Growth Management Element" augments the provisions of this Circulation Element with regard to traffic standards and other circulation issues both within the City and within its planning areas and sphere of influence. To the extent that any inconsistency exists between this Circulation Element and the provisions of Chapter 2A, the provisions of Chapter 2A control. Any provision of this element that is inconsistent with any provision of Chapter 2A is therefore null and void."

Page 4 Paragraph 6 on page 4 of the section entitled "Existing Conditions" in the introduction to the 1989 Circulation Element is hereby amended to read in its entirety as follows:

"While the majority of the city is developed at this time, the approximately ~~two~~ three thousand acres in the south hills are still undeveloped. ~~While the terrain is very steep, this area has been master planned for a future road system. The eastern portions of the city are also largely undeveloped. The land use element has not been updated since 1979 but the designations for this area are mainly residential to the south, office and business parks to the north.~~"

Page 8 Section One – Transportation of the 1989 Circulation Element is hereby amended by the addition of the following paragraph immediately under the heading Roadways to read in its entirety as follows:

"Those areas designated 'Hillside Conservation' should be developed with the minimum number of roads possible, with clustering of development strongly encouraged to minimize the need for access roads. No through roads should be permitted in this area ~~with the exception of Oakwood Drive extended continuously to connect to Scotch Lane and Reche Canyon Road, as shown conceptually on Exhibit 'A,' intended primarily to serve areas outside of the Hillside Conservation Area~~. The purpose of limitations on through roads is to minimize the adverse impacts of through traffic. Those roads which are necessary within the Conservation Area, ~~other than the Oakwood Drive extension,~~ should minimize cut and fill, should avoid disruption of important natural habitat, sensitive areas, and view areas, and should be designed to fit the hilly terrain by following contour lines, using minimum pavement widths, relaxed curve and other standards and slow speeds."

Page 23 The following language which was added by Ordinance 541 to the 1973 Circulation Element of the Loma Linda General Plan immediately above the "Major Highways" category on Page 23 is hereby deleted as follows:

~~"Those areas designated "Hillside Conservation" should be developed with the minimum number of roads possible, with clustering of development strongly encouraged to minimize the need for access roads. No through roads should be permitted in this area with the exception of Oakwood Drive extended continuously to~~

~~connect to Scotch Lane and Reche Canyon Road, as shown conceptually on Exhibit "A," intended primarily to serve areas outside of the Hillside Conservation Area. The purpose of limitations on through roads is to minimize the adverse impacts of through traffic. Those roads which are necessary within the Conservation Area, other than the Oakwood Drive extension, should minimize cut and fill, should avoid disruption of important natural habitat, sensitive areas, and view areas, and should be designed to fit the hilly terrain by following contour lines, using minimum pavement widths, relaxed curve and other standards, and slow speeds.~~"

Ex. H Exhibit H to the 1989 Circulation Element is hereby repealed.

E. HOUSING ELEMENT

The Housing Element of the Loma Linda General Plan as updated in 1986 entitled "Housing Element" is hereby amended as follows:

Page 1 The opening paragraph of the Housing Element is hereby amended by the addition of the following paragraph to the beginning of the Introduction to read as follows:

"The residential character of the City of Loma Linda places great importance on the community's plans for housing. If Loma Linda is to be planned as a residential community oriented toward the University and Medical Center, then housing must become a prominent consideration for public policies and guidance. Parts of the City have a very old stock of housing and consist of dwelling units which are badly in need of replacement. Other City residential areas are quite new. Chapter 2A, "Growth Management Element" augments the provisions of this Housing Element with regard to residential land use densities, planned residential development and communities, hillside conservation, and open space both within the City and within its planning areas and sphere of influence. To the extent that any inconsistency exists between this Housing Element and the provisions of Chapter 2A, the provisions of Chapter 2A control. Any provision of this element that is inconsistent with any provision of Chapter 2A is therefore null and void."

F. CONSERVATION ELEMENT

Chapter Three of the Loma Linda General Plan entitled "Conservation Element" is hereby amended as follows:

Page 38 The opening paragraph of the Conservation Element is hereby amended as follows:

"The purpose of the Conservation Element is to designate those areas of natural resources within the ~~Loma Linda Planning Area~~ <u>City of Loma Linda, its planning areas and sphere of influence</u> so that policies for their conservation and utilization can be developed and carried out. The Conservation Element includes a plan for flood control of San Timoteo Creek. Since natural resources are of area wide significance, it is necessary for the Conservation Element to be coordinated with the responsibilities of other governmental agencies including the State of California, County of San Bernardino, and adjacent cities and service districts. <u>Chapter 2A, "Growth Management Element" augments the provisions of this Conservation Element with</u>

regard to land use densities, hillside conservation, traffic standards and open space provisions both within the City and within its planning areas and sphere of influence. To the extent that any inconsistency exists between this Conservation Element and the provisions of Chapter 2A, the provisions of Chapter 2A control. Any provision of this element that is inconsistent with any provision of Chapter 2A is therefore null and void."

G. OPEN SPACE ELEMENT

Chapter Three of the Loma Linda General Plan entitled "Open Space Element" is hereby amended as follows:

Page 41 The opening paragraph of the Open Space Element is hereby amended as follows:

"The purpose of the Open Space Element is to identify areas of natural scenic beauty, recreation, and natural resources. The Element's purpose also is to develop a plan for the preservation of open space and to coordinate that plan with the plans of other governmental agencies charged with the conservation and preservation of open space lands. Chapter 2A, "Growth Management Element" augments the provisions of this Open Space Element with regard to land use densities, hillside conservation, traffic standards and open space provisions both within the City and within its planning areas and sphere of influence. To the extent that any inconsistency exists between this Open Space Element and the provisions of Chapter 2A, the provisions of Chapter 2A control. Any provision of this element that is inconsistent with any provision of Chapter 2A is therefore null and void."

Pages 42 to 43 The eighth paragraph on page 42 which continues over to the top of page 43 of the Open Space Element of the Loma Linda General Plan is hereby deleted as follows:

"~~One of the greatest methods by which private land will contribute to City Open Space will be through the construction of planned unit developments. The General Plan has designated multiple-family sites where land has yet to be developed as "PD" or Planned Development. Instead of conventional structures on lots, it is intended that these projects be designed and built with small private open space areas, but a sizeable portion of the site, at least twenty-five percent, held in common open space for all of the occupants of the project.~~"

H. CITY OFFICIAL GENERAL PLAN LAND USE ELEMENT MAP

The City Official General Plan Land Use Element Map is hereby amended to depict the San Timoteo Creek Area, the Hillside Preservation Area (consisting of Low Density Hillside Preservation, Medium Density Hillside Preservation, and Rural Estates), the Expanded Hillside Area, the Hillside Conservation Area and the Urban Slope Line as shown on Exhibit A to Chapter 2A, and any legal descriptions to the delineations set forth in the Official General Plan Land Use Element Map are hereby amended to conform to legal descriptions consistent with the land areas depicted in Exhibit A to Chapter 2A. Any text in the Official General Plan Land Use Element Map is also amended to show residential land use designations and the maximum allowable densities set forth in Chapter 2A.

The Open Space and Conservation Elements Map attached as Exhibit B to the Loma Linda General Plan is hereby deleted and superseded by Exhibit A to Chapter 2A to depict the San Timoteo Creek Area, the Hillside Preservation Area (consisting of Low Density Hillside Preservation, Medium Density Hillside Preservation, and Rural Estates), the Expanded Hillside Area, the Hillside Conservation Area and the Urban Slope Line as shown on Exhibit A to Chapter 2A.

SECTION IV. IMPLEMENTATION

A. On the effective date of this initiative measure as provided by California law (the "Effective Date"), all provisions of the general plan amendment set forth in Sections II and III of this initiative measure are inserted into and become part of the Loma Linda General Plan, except that, if for any reason the four amendments permitted by state law to be made to the mandatory elements of the Loma Linda General Plan have already occurred prior to the Effective Date, the provisions of the general plan amendment set forth in Sections II and III of this initiative measure shall become a part of the Loma Linda General Plan as soon thereafter as legally possible.

B. No provision of the Loma Linda Municipal Code that is inconsistent with this initiative measure shall be enforced after the Effective Date.

C. Except as provided in Section V below, any amendment to the Loma Linda General Plan adopted after September 11, 1973, that is inconsistent with this initiative measure is hereby repealed and declared null and void as of the Effective Date of this initiative measure.

D. Except as provided in Section V below, upon the Effective Date, all general plan amendments, rezonings, specific plans, tentative or final subdivision maps, parcel maps, conditional use permits, building permits or other ministerial or discretionary entitlements for use, shall not be approved or issued unless consistent with the policies and provisions of this initiative measure.

SECTION V. NO UNCONSTITUTIONAL TAKING

A. This initiative measure is not intended, and shall not be applied or construed to authorize the City to exercise its powers in a manner which will take private property for public use without the payment of just compensation, but shall be interpreted, applied and implemented so as to accomplish its purposes to the maximum constitutionally permissible extent without requiring payment of compensation.

B. If application of this initiative measure to a specific property of record as of the Effective Date would create a taking, then the City Council may, upon application by the landowner, allow additional density or uses on such property, upon findings that the level of additional development permitted is the minimum necessary to avoid a taking, and no lesser level of development would be sufficient to avoid a taking.

SECTION VI. SEVERABILITY

A. In interpreting this initiative measure or resolving any ambiguity thereof, the City Council and all other City entities charged with implementing or enforcing this initiative measure or any

part of it, as well as any reviewing court, shall interpret this initiative measure in the manner which most vigorously and effectively accomplishes its purposes and operative provisions.

B. If any portion of this initiative measure is hereafter determined to be invalid by a court of competent jurisdiction, all remaining portions of this initiative measure shall remain in full force and effect. Each section, subsection, sentence, phrase, part or portion of this initiative measure would have been adopted and passed irrespective of the fact that any one or more sections, subsections, sentences, phrases, parts or portions be declared invalid or unconstitutional.

SECTION VII. AMENDMENT AND REPEAL

This initiative measure and all of its provisions may be amended or repealed only by a majority vote of the electorate.

EXHIBIT A1

(a) San Timoteo Creek Area Boundaries.

Beginning at the point where the western boundary of the Sphere of Influence intersects with the northern boundary of Beaumont Avenue, thence northerly along the western boundary of the Sphere of Influence to the point which is as far north as the southern boundary of Lawton Avenue, thence easterly along a line that is as far north as the southern boundary of Lawton Avenue to the eastern boundary of the Sphere of Influence, thence southerly along the eastern boundary of the Sphere of Influence to the northern boundary of Beaumont Avenue, thence westerly along the northern boundary of Beaumont Avenue to the beginning point.

(b) Hillside Preservation Area Boundaries.

i. Low Density Hillside Preservation:

Area 1. Beginning at the point where the southern boundary of EL/RL-5 in the Sphere of Influence (depicted on the San Bernardino County Official Land Use Map dated January 5, 2004 and attached as Exhibit B to this Chapter 2A) intersects with the eastern boundary of the Hillside Conservation Area, thence easterly along the southern boundary of EL/RL-5 in the Sphere of Influence to the eastern boundary of the Sphere of Influence, thence southerly along the eastern boundary of the Sphere of Influence to the southern boundary of the Sphere of Influence, thence westerly along the southern boundary of the Sphere of Influence to the eastern boundary of the Hillside Conservation Area, thence northerly along the eastern boundary of the Hillside Conservation Area to the beginning point.

Area 2. Beginning at the point where the San Jacinto Fault Line intersects with the southern boundary of the Sphere of Influence, thence westerly along the southern boundary of the Sphere of Influence to the western boundary of the Sphere of Influence, thence northerly along the western boundary of the Sphere of Influence to the San Jacinto Fault Line, thence easterly along the San Jacinto Fault Line to the beginning point.

ii. Medium Density Hillside Preservation:

Beginning at the point where the southern boundary of Beaumont Avenue intersects with the western boundary of the Sphere of Influence, thence easterly along the southern boundary of Beaumont Avenue to the southern boundary of the railroad, thence southerly along the southern boundary of the railroad to the eastern boundary of the Sphere of Influence, thence southerly along the eastern boundary of the Sphere of Influence to the southern boundary of EL/RL-5 in the Sphere of Influence (depicted on the San Bernardino County Official Land Use Map dated January 5, 2004 and attached as Exhibit B to this Chapter 2A), thence westerly along the southern boundary of EL/RL-5 in the Sphere of Influence to the eastern boundary of the Hillside Conservation Area, thence northerly along the eastern boundary of the Hillside Conservation Area to the western boundary of the Sphere of Influence, thence northerly along the western boundary of the Sphere of Influence to the beginning point.

iii. Rural Estates:

Beginning at the point where the southern boundary of Beaumont Avenue intersects with the western boundary of the Sphere of Influence, thence southerly along the western boundary of the

Sphere of Influence to the northern boundary of the Hillside Conservation Area, thence westerly along the northern boundary of the Hillside Conservation Area to the eastern boundary of the land owned by the City of Loma Linda as of September 14, 2005, thence northerly along the eastern boundary of the land owned by the City of Loma Linda as of September 14, 2005 to the southern boundary of Beaumont Avenue, thence easterly along the southern boundary of Beaumont Avenue to the beginning point.

(c) Expanded Hillside Area Boundaries.

Area 1. Beginning at the point where the San Jacinto Fault Line intersects with the western boundary of the Sphere of Influence, thence southerly along the western boundary of the Sphere of Influence to the Riverside County Line, thence westerly along the Riverside County Line to the western boundary of the land owned by the City of Loma Linda as of September 14, 2005, thence northerly along the western boundary of the land owned by the City of Loma Linda as of September 14, 2005 to the San Jacinto Fault Line, thence easterly along the San Jacinto Fault Line to the beginning point.

Area 2. Beginning at the northern boundary of the Hillside Conservation Area, thence due north to the point where the western boundary of Hulda Crooks Park intersects with the northern boundary of Hulda Crooks Park, thence easterly along the northern boundary of Hulda Crooks Park to Mountain View Avenue, thence easterly across Mountain View Avenue to the southern boundary of Beaumont Avenue, thence easterly along the southern boundary of Beaumont Avenue to the eastern boundary of the land owned by the City of Loma Linda as of September 14, 2005, thence southerly along the eastern boundary of the land owned by the City of Loma Linda as of September 14, 2005 to the northern boundary of the Hillside Conservation Area, thence westerly along the northern boundary of the Hillside Conservation Area to the beginning point.

EXHIBIT A

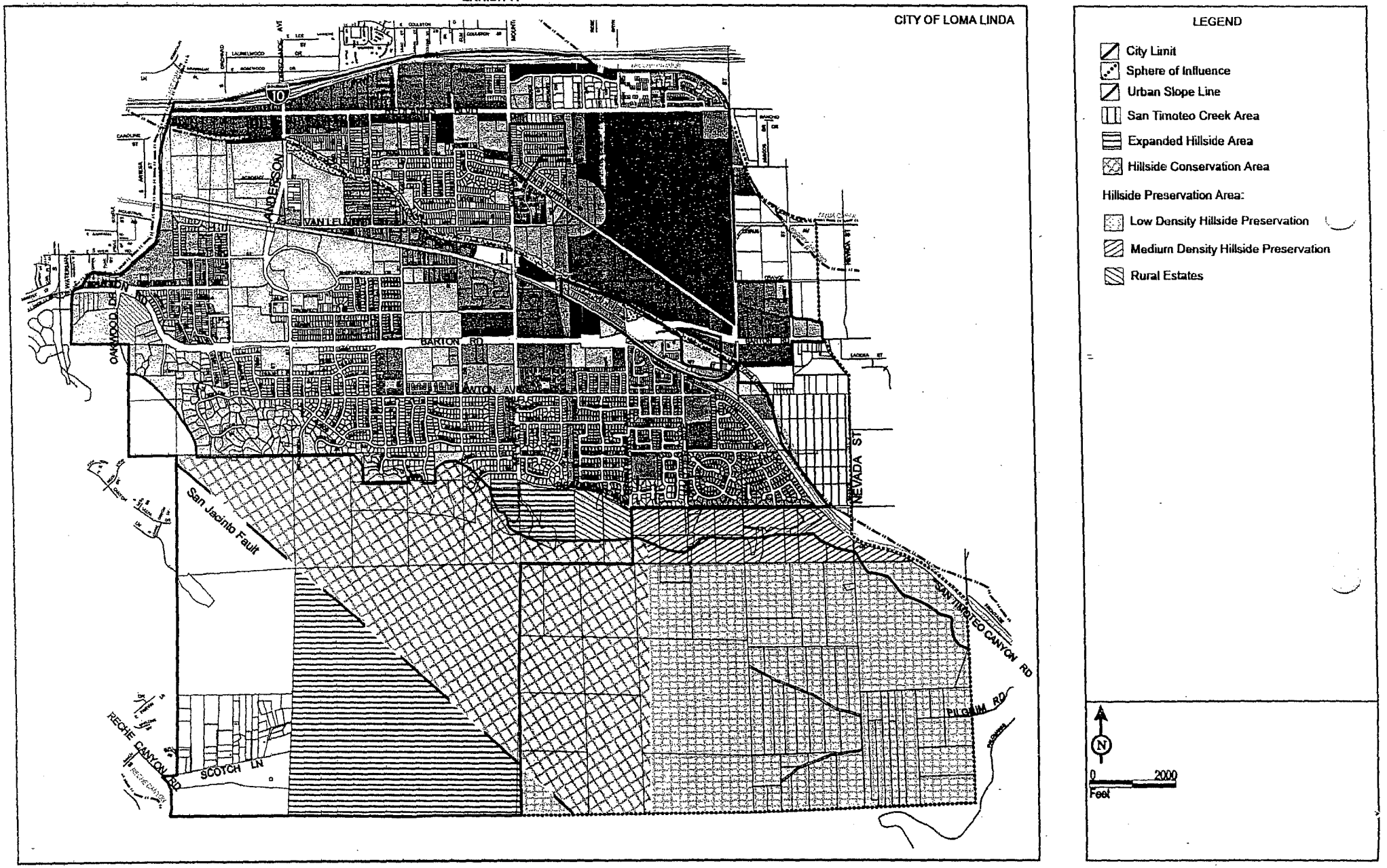
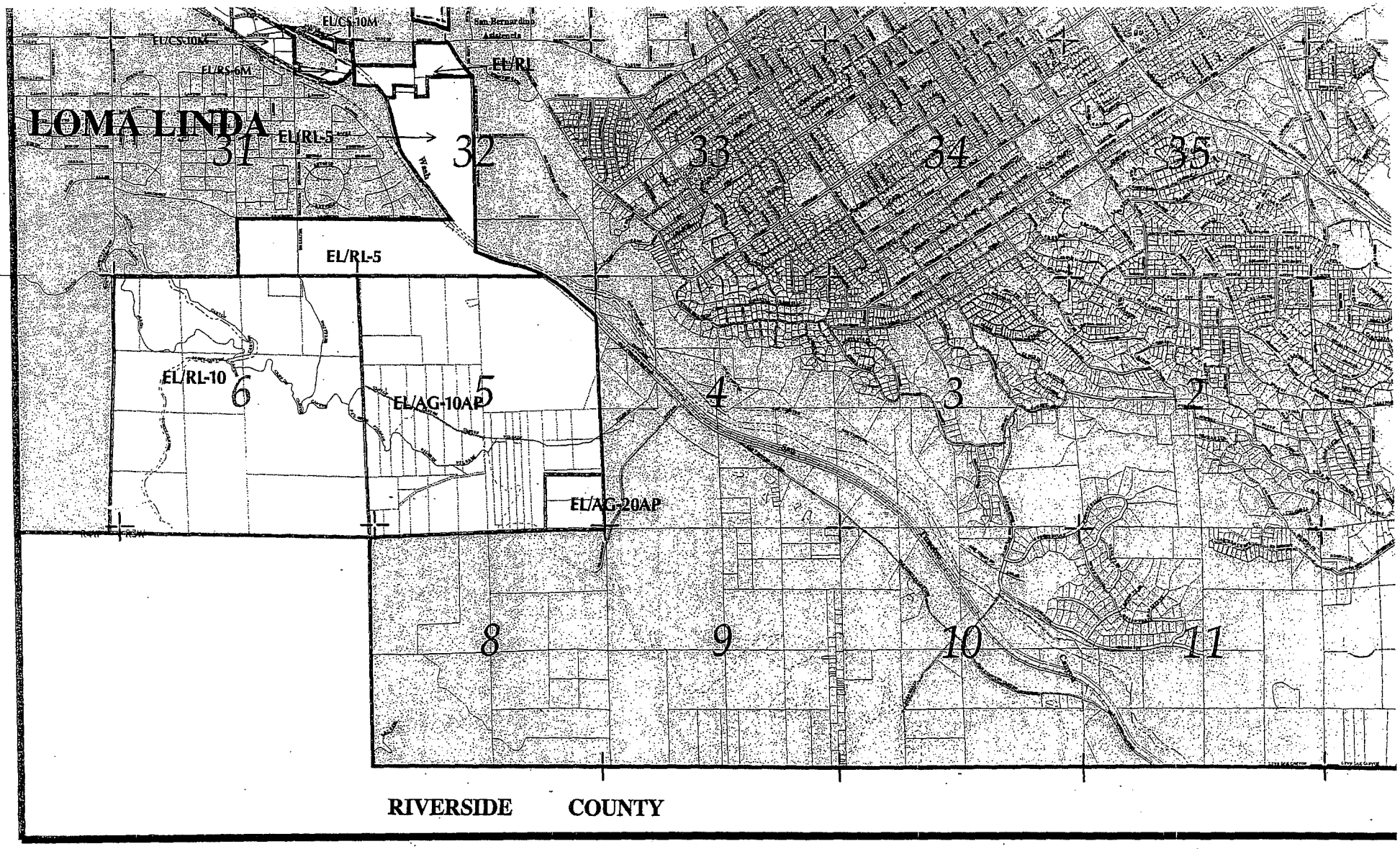


EXHIBIT A

EXHIBIT B



This map was plotted on: January 05, 2004

SAN BERNARDINO COUNTY PLANNING DEPARTMENT

N

San Bernardino County Official Land Use Plan
GENERAL PLAN
Official Land Use Districts

SCALE 1:24000

1 inch on the map represents 2000 feet on the ground